

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region IX

In The Matter Of:

Operating Industries, Inc. Superfund Site

TEXTILE RUBBER AND CHEMICAL COMPANY;
GEMINI INDUSTRIES, INCORPORATED;
HOECHST CELANESE CORPORATION,

Respondents

Proceeding under Section 106 of the
Comprehensive Environmental Response
Compensation and Liability Act of 1980,
as amended by the Superfund Amendments
and Reauthorization Act of 1986.

Order No. 94-01

UNILATERAL ADMINISTRATIVE ORDER
FOR REMEDIAL ACTIVITIES

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LIST OF ATTACHMENTS

Att.	Title of Document
A	Scope of Work
B	First Partial Consent Decree and attachments
C	Third Partial Consent Decree and attachments
D	Record of Decision for Site Control and Monitoring Operable Unit
E	Record of Decision for Leachate Management Operable Unit
F	Record of Decision for Gas Control and Landfill Cover Operable Unit
G	Safety, Health and Emergency Response Plan (SHERP)
H	Site Access and Security Plan (SASP)
I	Index to Administrative Record

**UNILATERAL ADMINISTRATIVE ORDER
FOR REMEDIAL ACTIVITIES**

I. INTRODUCTION AND JURISDICTION

1. This Unilateral Administrative Order is issued to TEXTILE RUBBER AND CHEMICAL COMPANY; GEMINI INDUSTRIES, INCORPORATED; and HOECHST CELANESE CORPORATION (collectively referred to herein as "Respondents") by the United States Environmental Protection Agency ("EPA") under the authority vested in the President of the United States by section 106(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. § 9606(a). This authority was delegated to the Administrator of EPA by Executive Order 12580 (52 Fed. Reg. 2923, January 29, 1987), was further delegated to EPA Regional Administrators on September 13, 1987 by EPA Delegation No. 14-14-B, and was further delegated to the Director of the Hazardous Waste Management Division, Region IX, on October 26, 1988, by EPA Region IX Order No. R1290.42.

2. As set forth herein, this Order requires Respondents to collect, transport, and treat or arrange for treatment and disposal of leachate, gas condensate, and other wastes associated with activities at the Operating Industries, Inc. Superfund Site.

II. FINDINGS OF FACT

3. The Operating Industries, Inc. landfill ("OII" or "Site") is located on 190 acres at 900 Potrero Grande Drive, Monterey Park, California. The Site operated from 1948 through 1984, and, over the course of its operation, accepted industrial solid, liquid and hazardous wastes and municipal trash. Wastes accepted at the Site include hazardous substances as defined in section 101(14) of CERCLA, 42 U.S.C. § 9601(14).

4. The Site is located on the northwestern flank of the La Merced hills (also called the Montebello hills), and is divided by California Highway 60 (Pomona Freeway), which runs roughly east-west through the Site, into a 45-acre North Parcel and a 145-acre South Parcel. The Site is located at the boundary

1 between the San Gabriel groundwater basin to the north and the
2 Los Angeles Coastal groundwater basin to the south.

3 5. The Site was proposed for inclusion on the National
4 Priorities List (NPL) in October 1984, and was subsequently
5 placed on the NPL in May 1986, in accordance with section 105
6 (a)(8) of CERCLA, 42 U.S.C. § 9605(a)(8).

7 6. EPA has identified three operable units to date for the
8 Site: Site Control and Monitoring (SCM); Leachate Management
9 System (LMS); and Gas Migration Control and Landfill Cover (Gas).
10 Records of Decision (RODs) for the SCM and LMS Operable Units
11 were signed by the EPA Region IX Deputy Regional Administrator on
12 July 31, 1987 and November 16, 1987, respectively. The ROD for
13 the Gas Operable Unit was signed by the Regional Administrator on
14 September 30, 1988, and was amended on September 28, 1990. Each
15 of the RODs is supported by an administrative record that
16 contains the documents and information upon which EPA based the
17 selection of the response action. A fourth administrative record
18 contains the documents and information supporting the issuance of
19 this Order.

20 7. Respondent Textile Rubber and Chemical Company ("Textile")
21 arranged for the disposal or treatment of, or arranged with a
22 transporter for transport for disposal or treatment of, hazardous
23 substances owned or possessed by Respondent, including but not
24 limited to chromium, copper, cadmium, lead, nickel, zinc, and
25 aluminum sulfate.

26 8. Respondent Gemini Industries, Incorporated ("Gemini")
27 arranged for the disposal or treatment of, or arranged with a
28 transporter for transport for disposal or treatment of, hazardous
29 substances owned or possessed by Respondent, including but not
30 limited to copper.

31 9. Respondent Hoechst Celanese Corporation ("Celanese")
32 arranged for the disposal or treatment of, or arranged with a
33 transporter for transport for disposal or treatment of, hazardous
34 substances owned or possessed by Respondent, including but not
35 limited to methyl ethyl ketone (2-butanone).

36 10. Hazardous substances of the same kind as those owned or

1 possessed by each Respondent have been found at the Site.

2 11. The contaminants found in leachate at the Site include,
3 but are not limited to, methyl ethyl ketone (2-butanone), vinyl
4 chloride, naphthalene, benzene, toluene, xylene, 1,4-dioxane,
5 dichloromethane, ammonia, nickel, and copper. Contaminants found
6 in landfill gas at the Site include, but are not limited to,
7 vinyl chloride, benzene, and xylene. Contaminants found in
8 groundwater at the Site include, but are not limited to, methyl
9 ethyl ketone, vinyl chloride, 1,4-dioxane, ammonia, lead,
10 chromium, nickel and copper. Contaminants found in the gas
11 condensate from the Site include, but are not limited to, methyl
12 ethyl ketone, toluene, xylene, naphthalene, copper, chromium,
13 nickel, mercury, and lead.

14 12. There have been releases of hazardous substances from the
15 Site posing numerous threats to human health and the environment.
16 Landfill gas containing explosive levels of methane has migrated
17 through the subsurface soils to nearby homes, creating a
18 potential health hazard from potential explosions and from human
19 exposure to the hazardous components of the gas. Ambient air
20 near the Site has exceeded State standards for vinyl chloride.
21 Leachate from surface seeps containing hazardous substances has
22 migrated off-site. Leachate has also migrated off-site to the
23 shallow groundwater.

24 13. The population at risk from the conditions at the Site
25 include the nearby residents of the City of Montebello and the
26 City of Monterey Park, those who travel on the section of the
27 Pomona Freeway which transects the site, and workers in the
28 businesses located near the Site. Over 30,000 people live or
29 work within one mile of the Site.

30 14. The hazardous substances listed above in Paragraph 11 are
31 toxic and/or carcinogenic to animals and/or humans. The
32 following subparagraphs set out known health effects for certain
33 of the detected hazardous substances.

34 (a) Benzene is a known carcinogen. Toxic effects of
35 benzene in humans and other animals include central nervous
36 system effects, hematological effects, and immune system depres-

1 sion. Studies have shown that there is a statistically sig-
2 nificant association between leukemia and occupational exposure
3 to benzene. Oral exposure of experimental animals to benzene has
4 been associated with increased incidence of mammary gland
5 carcinoma. Applying EPA's criteria for evaluating the overall
6 weight of evidence of carcinogenicity to humans, benzene has been
7 classified as a Human Carcinogen, that is, there is sufficient
8 evidence from epidemiological studies to support a causal
9 association between an agent and cancer.

10 (b) Lead is a toxic compound. The major toxic effects of
11 lead are alterations in the hemopoietic and nervous systems.
12 Other effects associated with exposure to low levels of lead in-
13 clude: slow nerve conduction; altered testicular function; and
14 renal dysfunction. Oral ingestion of certain lead salts (lead
15 acetate, lead phosphate, and lead subacetate) has been associated
16 with increased renal tumor frequency in rats. Applying the
17 criteria described in EPA's guidelines for Carcinogenic Risk As-
18 sessment, these lead salts have been classified by EPA as a Prob-
19 able Human Carcinogen.

20 (c) Vinyl Chloride: Occupational exposure to vinyl
21 chloride has been associated with an increased incidence of
22 hepatic angiosarcomas. Exposure has also been implicated in
23 brain, lung, and hemolymphopoietic cancers in humans. Chronic
24 inhalation and ingestion of vinyl chloride has induced cancer in
25 the liver (liver angiosarcomas and hepatocellular carcinomas) and
26 in other tissues in rats and mice. Applying EPA's criteria for
27 evaluating the overall weight of evidence of carcinogenicity to
28 humans, vinyl chloride has been classified a Human Carcinogen.

29 (d) Xylene effects the central nervous system and may
30 result in dizziness, blurred vision, discoordination,
31 unconsciousness, and death by respiratory failure. Xylene may
32 affect the heart rate and blood flow. It can cause irritation of
33 the upper respiratory tract, eyes, and skin. It may cross the
34 placental membrane in humans.

35 (e) Copper exposure can cause vomiting, diarrhea, stomach
36 cramps, and nausea. Chronic ingestion can cause liver and kidney

1 damage and death particularly in very young children.

2 (f) Methyl Ethyl Ketone (2-Butanone) can irritate
3 respiratory tissues and have other lung and nerve effects.
4 Exposure may also result in eye damage, numbness, and
5 convulsions.

6 (g) Chromium exposure has been associated with lung cancer.
7 Exposure can also result in ulcers of the skin and irritation of
8 the nasal and respiratory tracts, and may damage the kidney and
9 liver.

10 15. EPA and approximately 113 companies identified by EPA as
11 potentially responsible parties ("PRPs") at the Site under CERCLA
12 have entered into an agreement known as the first Partial Consent
13 Decree, under which certain of those companies ("First Decree
14 Work Defendants") will perform portions of the SCM and LMS
15 operable units. The first Partial Consent Decree was entered by
16 the United States District Court for the Central District of
17 California on May 8, 1989 (U.S. v. Chevron, et. al., CV 887196
18 MRP (kx)). The principal contractor to perform this work for the
19 First Decree Work Defendants is Coalition Undertaking Remedial
20 Efforts, Inc. ("CURE").

21 16. The Second Partial Consent Decree, under which additional
22 PRPs paid cash to resolve their liability for the same subject
23 matter as the first Partial Consent Decree, was entered by the
24 court on September 17, 1991 (U.S. v. Chevron, et. al., CV 887196
25 MRP (kx)).

26 17. EPA and approximately 135 companies identified by EPA as
27 PRPs at the Site under CERCLA have entered into an agreement
28 known as the Third Partial Consent Decree, under which certain of
29 those companies ("Third Decree Work Defendants") will perform
30 portions of the Gas operable unit. The Third Partial Consent
31 Decree was entered by the court on March 30, 1992 (U.S. v.
32 Chevron, et al., 91-6520). The principal contractor to perform
33 this work for the Third Decree Work Defendants is New CURE, Inc.
34 ("NCI").

35 18. The First Decree Work Defendants are currently collecting
36 approximately 7,000 gallons per day, on average, of waste

1 associated with the Site, including leachate and condensate.

2 19. Hauling and proper disposal of leachate, condensate, and
3 other site-related wastes is necessary to minimize the occurrence
4 of leachate seeps, to diminish the opportunity of members of the
5 public to come into contact with hazardous substances from the
6 Site, and to reduce the opportunity for hazardous substances to
7 migrate into groundwater.

8
9 **III. CONCLUSIONS OF LAW AND DETERMINATIONS**

10 20. The Operating Industries, Inc. Site is a "facility" as
11 defined in section 101(9) of CERCLA, 42 U.S.C. § 9601(9).

12 21. Each Respondent is a "person" as defined in section
13 101(21) of CERCLA, 42 U.S.C. § 9601(21).

14 22. Each Respondent is a "liable party" as defined in section
15 107(a) of CERCLA, 42 U.S.C. § 9607(a), and is subject to this
16 Order under section 106(a) of CERCLA, 42 U.S.C. § 9606(a).

17 23. The substances listed in Paragraphs 7, 8, and 9 are found
18 at the Site and are "hazardous substances" as defined in section
19 101(14) of CERCLA, 42 U.S.C. § 9601(14).

20 24. These hazardous substances have been, are being, and/or
21 threaten to be released from the Site into the soil, groundwater,
22 and air.

23 25. The past disposal and migration of hazardous substances
24 from the Site are a "release" as defined in section 101(22) of
25 CERCLA, 42 U.S.C. § 9601(22).

26 26. The potential for future migration of hazardous substances
27 from the Site poses a threat of a "release" as defined in section
28 101(22) of CERCLA, 42 U.S.C. § 9601(22).

29 27. The release and/or threat of release of one or more
30 hazardous substances from the facility may present an imminent
31 and substantial endangerment to the public health or welfare or
32 the environment.

33 28. The contamination and endangerment at this Site constitute
34 an indivisible injury. The actions required by this Order are
35 necessary to protect the public health, welfare, and the
36 environment.

1 IV. NOTICE TO THE STATE

2 29. On October 13, 1993, prior to issuing this Order, EPA
3 notified the Office of the Attorney General for the State of
4 California that EPA would be issuing this Order. On October 28,
5 1993, EPA notified the California Department of Toxic Substances
6 Control that EPA would be issuing this Order.
7

8 V. ORDER

9 30. Based on the foregoing, Respondents are hereby ordered,
10 jointly and severally, to comply with the following provisions,
11 including but not limited to all attachments to this Order, all
12 documents incorporated by reference into this Order, and all
13 schedules and deadlines in this Order, attached to this Order, or
14 incorporated by reference into this Order:
15

16 VI. DEFINITIONS

17 31. Unless otherwise expressly provided herein, terms used in
18 this Order which are defined in CERCLA or in regulations
19 promulgated under CERCLA shall have the meaning assigned to them
20 in the statute or its implementing regulations. Whenever terms
21 listed below are used in this Order or in the documents
22 incorporated by reference into this Order, the following
23 definitions shall apply:

24 a. "CERCLA" shall mean the Comprehensive Environmental
25 Response, Compensation, and Liability Act of 1980, as amended, 42
26 U.S.C. §§ 9601 et seq.

27 b. "Day" shall mean a calendar day unless expressly stated
28 to be a working day. "Working day" shall mean a day other than a
29 Saturday, Sunday, or Federal holiday. In computing any period of
30 time under this Order, where the last day would fall on a
31 Saturday, Sunday or Federal holiday, the period shall run until
32 the close of business of the next working day.

33 c. "EPA" shall mean the United States Environmental
34 Protection Agency and any successor departments or agencies of
35 the United States.

36 d. "National Contingency Plan" or "NCP" shall mean the

1 National Contingency Plan promulgated pursuant to section 105 of
2 CERCLA, 42 U.S.C. § 9605, codified at 40 C.F.R. Part 300,
3 including any amendments thereto.

4 e. "Paragraph" shall mean a portion of this Order
5 identified by an arabic numeral.

6 f. "Records of Decision" or "RODs" shall mean the EPA
7 Records of Decision for the three operable units identified at
8 the Site, specifically the SCM, LMS and Gas Operable Units,
9 referred to in Paragraph 6 of this Order.

10 g. "Remedial Activities" shall mean those activities to be
11 undertaken by Respondents to implement the Work Plan and other
12 final plans approved by EPA, including any additional activities
13 required under Section XII (EPA Review of Submissions) of this
14 Order and under the SOW.

15 h. "Section" shall mean a portion of this Order identified
16 by a roman numeral and includes one or more Paragraphs.

17 i. "Site" shall mean the Operating Industries, Inc.
18 Superfund site, encompassing approximately 190 acres, located at
19 900 Potrero Grande Drive in Monterey Park, California, as
20 described in Paragraph 3 of this Order.

21 j. "State" shall mean the State of California.

22 k. "Scope of Work" or "SOW" shall mean the statement of
23 work for implementation of the Remedial Activities at the Site,
24 as set forth in Attachment A to this Order. The Scope of Work is
25 incorporated into this Order and is an enforceable part of this
26 Order.

27 l. "United States" shall mean the United States of
28 America.

29 m. "Work" shall mean all activities Respondents are
30 required to perform under this Order, including Remedial
31 Activities, and any activities required to be undertaken pursuant
32 to Sections VII (Parties Bound) through XXII (EPA Review of
33 Submissions), XXV (Administrative Record) and XXVIII (Notice of
34 Intent to Comply) of this Order.
35

1 **VII. PARTIES BOUND**

2 32. This Order shall apply to and be binding upon each
3 Respondent identified in Paragraph 1, its directors, officers,
4 employees, agents, successors, and assigns. No change in the
5 ownership, corporate status, or other control of any Respondent
6 shall alter any of the Respondents' responsibilities under this
7 Order.

8 33. The undertaking or completion of any requirement of this
9 Order by any other person, with or without the participation of a
10 Respondent, shall not relieve that Respondent of its obligation
11 to perform each and every other requirement of this Order.

12 34. Each Respondent shall communicate and cooperate with the
13 other Respondents and shall participate in performing the Work
14 required by this Order. Any failure to perform, in whole or in
15 part, any requirement of this Order by any Respondent or any
16 other person with whom Respondent is coordinating or
17 participating in the performance of such requirement shall not
18 relieve Respondent of its obligation to perform each and every
19 requirement of this Order.

20 35. Each Respondent shall provide a copy of this Order to any
21 prospective owners or successors before a controlling interest in
22 that Respondent's assets, property rights, or stock is
23 transferred to the prospective owner or successor. Respondents
24 shall provide a copy of this Order to each contractor, sub-
25 contractor, laboratory, or consultant retained to perform any
26 Work under this Order, within five days after the effective date
27 of this Order or on the date such services are retained,
28 whichever date occurs later. Respondents shall also provide a
29 copy of this Order to each person representing any Respondent
30 with respect to the Site or the Work and shall condition all
31 contracts and subcontracts entered into hereunder upon
32 performance of the Work in conformity with the terms of this
33 Order. With regard to the activities undertaken pursuant to this
34 Order, each contractor and subcontractor shall be deemed to be
35 related by contract to each Respondent within the meaning of
36 section 107(b)(3) of CERCLA, 42 U.S.C. § 9607(b)(3).

1 Notwithstanding the terms of any contract, each Respondent is
2 responsible for compliance with this Order and for ensuring that
3 Respondents' contractors, subcontractors and agents comply with
4 this Order, and perform any Work in accordance with this Order.
5

6 VIII. WORK TO BE PERFORMED

7 36. All aspects of the Work to be performed by Respondents
8 pursuant to this Order shall be under the direction and
9 supervision of a single qualified Project Coordinator the
10 selection of which shall be subject to approval by EPA. Within
11 fifteen (15) days after the effective date of this Order,
12 Respondents shall notify EPA in writing of the name and
13 qualifications of the Respondents' Project Coordinator, including
14 primary support entities and staff, proposed to be used in
15 carrying out the Work under this Order. If at any time
16 Respondents propose to use a different Project Coordinator,
17 Respondents shall notify EPA in writing of the name and
18 qualifications of the new Project Coordinator, and shall obtain
19 approval from EPA before the new Project Coordinator performs any
20 Work under this Order.

21 37. EPA will review Respondents' selection of a Project
22 Coordinator according to the terms of this Paragraph and Section
23 XII (EPA Review of Submissions) of this Order. If EPA
24 disapproves of the selection of the Project Coordinator,
25 Respondents shall submit to EPA within ten (10) days after
26 receipt of EPA's disapproval of the Project Coordinator
27 previously selected, a list of Project Coordinators, including
28 primary support entities and staff, that would be acceptable to
29 Respondents. EPA will thereafter provide written notice to
30 Respondents of the names of the Project Coordinators that are
31 acceptable to EPA. Respondents may then select any approved
32 Project Coordinator from that list and shall notify EPA of the
33 name of the Project Coordinator selected within seven (7) days of
34 EPA's designation of acceptable Project Coordinators.

35 38. Within twenty (20) days after the effective date of this
36 Order, the Respondent shall submit a Draft Work Plan to EPA for

1 review and approval under Section XII (Review of Submissions).
2 The Draft Work Plan shall contain at least the elements
3 identified in this Order and the attached SOW, and shall describe
4 the means by which the tasks described in this Order and the
5 attached SOW will be accomplished. The Draft Work Plan shall
6 also contain at least the following elements: (1) Identification,
7 address, telephone number, and qualifications of proposed
8 treatment, storage and disposal facilities (TSDF), and (2)
9 identification, address, telephone number, and qualifications of
10 the proposed hazardous waste transporter. Within fifteen (15)
11 days after receipt of EPA's approval of the Draft Work Plan,
12 Respondents shall submit a final Work Plan for EPA approval which
13 addresses EPA's comments on the Draft Work Plan. Implementation
14 of the tasks set out in the Work Plan shall begin three (3) days
15 after EPA approval of the Work Plan.

16 39. Within twenty (20) days after the effective date of this
17 Order, the Respondent shall submit a Draft Safety, Health and
18 Emergency Response Plan for the Work (UAO/SHERP) to EPA for
19 review and approval under Section XII (Review of Submissions).
20 Within fifteen (15) days after receipt of EPA's approval of the
21 Draft UAO/SHERP, Respondents shall submit a final UAO/SHERP for
22 EPA review and approval which addresses EPA's comments on the
23 Draft UAO/SHERP. The UAO/SHERP shall satisfy the applicable
24 requirements of the Occupational Safety and Health Guidance for
25 Hazardous Waste Site Activities (October 1985 [DHH 5 NIOSH]
26 Publication No. 85-115) and EPA's Standard Operating Safety
27 Guides (EPA, OERR, ERD, ERT, July 1988, revised June 1992). The
28 UAO/SHERP shall contain at least the elements identified in the
29 attached SOW. The UAO/SHERP shall address community and worker
30 safety (during both routine and emergency events) and the safety
31 of others during performance of all the activities related to
32 this Order. The UAO/SHERP shall also incorporate the spill and
33 emergency response activities and the transportation routes as
34 described in the Work Plan. A copy of the Safety, Health and
35 Emergency Response Plan for the work being performed at the Site
36 under the partial consent decrees is attached hereto as Appendix

1 G, for reference. While the Respondents shall obtain EPA
2 approval of the UAO/SHERP prior to implementing the site-related
3 waste management activities required by this Order, EPA's
4 comments on and approval of the Draft and final UAO/SHERP shall
5 not constitute EPA approval of the health and safety protocols
6 and other health and safety portions of the plans.

7 40. At any time, EPA may require Respondents to amend or
8 modify the Work Plan, the UAO/SHERP, or other documents submitted
9 by Respondents under this Order. Upon notice from EPA to prepare
10 such an amendment or modification, Respondents shall prepare the
11 amendment or modification as required by EPA, within the time
12 provided by EPA in its notice.

13 41. Upon approval by EPA, the Work Plan and any amendments or
14 modifications thereto are incorporated into this Order as a
15 requirement of this Order and shall be an enforceable part of
16 this Order.

17 42. Upon approval of the Work Plan and UAO/SHERP by EPA,
18 Respondents shall implement the Work Plan and UAO/SHERP,
19 according to the schedules in the Work Plan. Unless otherwise
20 directed by EPA, Respondents shall not commence on-site Remedial
21 Activities prior to approval of the Work Plan and UAO/SHERP.

22 43. Respondents shall, prior to any off-site shipment of
23 hazardous substances from the Site to an out-of-state waste
24 management facility, provide written notification to the
25 appropriate state environmental official in the receiving state
26 and to EPA's Project Coordinator of such shipment of hazardous
27 substances. However, the notification of shipments shall not
28 apply to any off-Site shipments when the total volume of all
29 shipments from the Site to the state will not exceed ten (10)
30 cubic yards.

31 a. The notification shall be in writing, and shall include
32 the following information, where available: (1) the name and
33 location of the facility to which the hazardous substances are to
34 be shipped; (2) the type and quantity of the hazardous substances
35 to be shipped; (3) the expected schedule for the shipment of the
36 hazardous substances; and (4) the method of transportation.

1 Respondents shall notify the receiving state of major changes in
2 the shipment plan, such as a decision to ship the hazardous
3 substances to another facility within the same state, or to a
4 facility in another state.

5 b. The identity of the out-of-state receiving facility and
6 state will be determined by Respondents as soon as practicable
7 after the effective date of this Order. Respondents shall
8 provide all relevant information, including information under the
9 categories noted in subparagraph 43.a above, on the out-of-state
10 shipments as soon as practicable after the effective date of this
11 Order and before the hazardous substances are actually shipped.

12 44. The Remedial Activities required by this Order shall be
13 performed by Respondents until May 11, 1997, unless earlier
14 written notice from EPA to Respondents specifically relieves
15 Respondents from performance of such activities. EPA reserves
16 authority to extend the period for Respondents to perform
17 Remedial Activities beyond that date upon written notice to
18 Respondents.

19
20 **IX. COORDINATION AND COOPERATION**

21 45. Within fifteen (15) days after the effective date of this
22 Order, Respondents shall submit to EPA for approval a
23 Respondents' Communication and Coordination Plan (RCCP), which
24 shall specify the requirements and procedures by which
25 Respondents will communicate and coordinate with one another in
26 carrying out the requirements of this Order. The RCCP shall
27 include at a minimum the following:

28 a. Communication Strategy: The RCCP shall specify how the
29 Respondents' Project Coordinator and the individual Respondents
30 will communicate and disseminate information relative to this
31 Order. The name, title, address, telephone number and facsimile
32 number of the primary contact person for each Respondent shall be
33 included in the communication strategy.

34 b. Coordination of Efforts: The RCCP shall describe with
35 specificity how the technical, financial, and administrative
36 requirements of this Order are to be coordinated and distributed

1 among and performed by Respondents. The RCCP shall describe the
2 obligations of each Respondent in full.

3 c. Dispute Resolution: The RCCP shall establish a process
4 for resolution of disputes between Respondents in such a manner
5 that the Work required under this Order will not be delayed.

6 46. The RCCP, in the form approved by EPA, shall be signed by
7 an authorized representative of each Respondent. Failure of any
8 Respondent to sign the RCCP within ten (10) days after EPA
9 approval will constitute a violation of this Order by that
10 Respondent. The RCCP as approved by EPA shall be incorporated
11 into and enforceable under this Order. Respondents shall submit
12 all proposed changes or amendments to the RCCP to EPA for
13 approval.

14 47. To the extent not inconsistent with this Order or with
15 EPA's instructions, Respondents shall at all times cooperate and
16 coordinate with EPA's contractors, the First Decree Work
17 Defendants and their contractors, the Third Decree Work
18 Defendants and their contractors, and other parties (if any)
19 working under EPA's direction at the Site. Respondents'
20 obligations to cooperate and coordinate include, but are not
21 limited to, establishing and complying with integration and
22 coordination procedures as described in the attached Scope of
23 Work.

24 48. Each Respondent shall make best efforts to coordinate in
25 the performance of the Work required by this Order with any other
26 person who offers to perform or, in lieu of performance to pay
27 for, in whole or in part, the Work required by this Order. Best
28 efforts to coordinate shall include, at a minimum:

29 a. Replying in writing within a reasonable period of time
30 to offers to perform or pay for the Work required by this Order;

31 b. Engaging in good-faith negotiations with any person who
32 offers to perform or to pay for the Work required by this Order;
33 and

34 c. Good-faith consideration of good-faith offers to
35 perform or pay for the Work required by this Order.

36 49. Upon request of EPA and subject to any claims of

1 applicable privilege(s), each Respondent shall submit to EPA all
2 documents in its possession, custody, or control relating to (1)
3 any offer to perform or pay for, or (2) the performance of or
4 payment for the Work required by this Order by any Respondent or
5 non-Respondent to this Order.

6 50. Upon request by EPA, Respondents shall cooperate with EPA
7 in providing information regarding the Work to the public. As
8 requested by EPA, Respondents shall participate in the
9 preparation of such information for distribution to the public
10 and in public meetings which may be held or sponsored by EPA to
11 explain activities at or relating to the Site.

12 51. EPA may seek civil penalties for each failure to comply
13 with any of the requirements in this Section IX.
14

15 X. ADDITIONAL RESPONSE ACTIONS

16 52. EPA may determine that in addition to the Work identified ,
17 in this Order and attachments to this Order, additional response
18 activities may be necessary to protect human health and the
19 environment. If EPA determines that additional response
20 activities are necessary, EPA may require Respondents to submit a
21 work plan for additional response activities. EPA may also
22 require Respondents to modify any plan, design, or other
23 deliverable required by this Order, including any approved
24 modifications.

25 53. Not later than thirty (30) days after receiving EPA's
26 notice that additional response activities are required pursuant
27 to this Section, Respondents shall submit a work plan for the
28 response activities to EPA for review and approval. Upon
29 approval by EPA, the work plan is incorporated into this Order as
30 a requirement of this Order and shall be an enforceable part of
31 this Order. Upon approval of the work plan by EPA, Respondents
32 shall implement the work plan according to the standards,
33 specifications, and schedule in the approved work plan.
34 Respondents shall notify EPA of their intent to perform such
35 additional response activities within seven (7) days after
36 receipt of EPA's request for additional response activities.

1 **XI. ENDANGERMENT AND EMERGENCY RESPONSE**

2 54. In the event of any action or occurrence during the
3 performance of the Work which causes or threatens to cause a
4 release of a hazardous substance or which may present an
5 immediate threat to public health or welfare or the environment,
6 Respondents shall immediately take all appropriate action to
7 prevent, abate, or minimize the threat, and shall immediately
8 notify EPA's Project Coordinator. If EPA's Project Coordinator
9 is unavailable, Respondents shall notify any of the EPA Remedial
10 Project Managers (RPMs) for the OII Site listed in Section XVI
11 (EPA Project Coordinator). Respondents shall take such action in
12 consultation with EPA's Project Coordinator and in accordance
13 with all applicable provisions of this Order, including but not
14 limited to the UAO/SHERP. In the event that Respondents fail to
15 take appropriate response action as required by this Section, and
16 EPA takes that action instead, Respondents shall reimburse EPA
17 for all costs of the response action not inconsistent with the
18 NCP. Respondents shall pay the response costs in the manner
19 described in Section XXII (Reimbursement of Response Costs) of
20 this Order, within thirty (30) days of Respondents' receipt of
21 demand for payment and a SPUR summary of the costs incurred.

22 55. Nothing in the preceding Paragraph shall be deemed to
23 limit any authority of the United States to take, direct, or
24 order all appropriate action to protect human health and the
25 environment or to prevent, abate, or minimize an actual or
26 threatened release of hazardous substances on, at, or from the
27 Site.

28
29 **XII. EPA REVIEW OF SUBMISSIONS**

30 56. After review of any deliverable, plan, report or other
31 item which is required to be submitted for review and approval
32 pursuant to this Order, EPA may: (a) approve the submission; (b)
33 approve the submission with modifications; (c) disapprove the
34 submission and direct Respondents to re-submit the document after
35 incorporating EPA's comments; or (d) disapprove the submission
36 and assume responsibility for performing all or any part of the

1 response action. As used in this Order, the terms "approval by
2 EPA," "EPA approval," or a similar term means the action
3 described in subparagraphs (a) or (b) of this Paragraph.

4 57. In the event of approval or approval with modifications by
5 EPA, Respondents shall proceed to take any action required by the
6 plan, report, or other item, as approved or modified by EPA.

7 58. Upon receipt of a notice of disapproval or a request for a
8 modification, Respondents shall, within ten (10) days or such
9 other time as specified by EPA in its notice of disapproval or
10 request for modification, correct the deficiencies and resubmit
11 the plan, report, or other item for approval. Notwithstanding
12 the notice of disapproval, or approval with modifications,
13 Respondents shall proceed, at the direction of EPA, to take any
14 action required by any non-deficient portion of the submission.

15 59. If any submission is not approved by EPA, Respondents
16 shall be deemed to be in violation of this Order.

17 18 **XIII. PROGRESS REPORTS**

19 60. In addition to the other deliverables set forth in this
20 Order and the SOW, Respondents shall provide monthly progress
21 reports to EPA with respect to actions and activities undertaken
22 pursuant to this Order. The progress reports shall be submitted
23 on or before the fifteenth day of each month following the
24 effective date of this Order. Respondents' obligation to submit
25 progress reports continues for the duration of Respondents' duty
26 to perform Remedial Activities as provided in Paragraph 44. At a
27 minimum these progress reports shall include the following as
28 well as information required by the SOW: (1) describe the actions
29 which have been taken to comply with this Order during the prior
30 month; (2) include all results of sampling and tests and all
31 other data received by Respondents and not previously submitted
32 to EPA; (3) describe all work planned for the next sixty (60)
33 days following the end of the reporting period, with schedules
34 relating such work to significant or related Site activities; and
35 (4) describe all problems encountered and any anticipated
36 problems (including but not limited to any issues relating to the

1 integration and coordination of the Work with other activities at
2 the Site), any actual or anticipated delays, and solutions
3 developed and implemented or proposed to address any actual or
4 anticipated problems or delays.

5
6 **XIV. QUALITY ASSURANCE, SAMPLING AND DATA ANALYSIS**

7 61. Respondents shall use the quality assurance, quality
8 control, and chain of custody procedures described in the "EPA
9 NEIC Policies and Procedures Manual," May 1978, revised August
10 1991 (EPA-330/9-78-001-R), EPA's "Guidelines and Specifications
11 for Preparing Quality Assurance Program Documentation," June 1,
12 1987, EPA's "Data Quality Objective Guidance" (EPA/540/G87/003
13 and 004), and any amendments to these documents, while conducting
14 all sample collection and analysis activities required herein by
15 any plan. To provide quality assurance and maintain quality
16 control, Respondents shall:

- 17 a. Use only laboratories which have a documented Quality
18 Assurance Program that complies with EPA guidance
19 document QAMS-005/80, and any amendments to this
20 document.
21
22 b. Ensure that all laboratories used by the Respondents
23 for analyses perform according to a method or methods
24 deemed satisfactory to EPA, and submit these methods to
25 EPA as part of the Work Plan or a Work Plan amendment.
26
27 c. Ensure that EPA personnel and EPA's authorized
28 representatives are allowed access to all the
29 laboratories and personnel utilized by the Respondents
30 for analyses. In addition, the Respondents shall
31 ensure that such laboratories shall perform, at no
32 expense to EPA, analysis of samples provided by EPA to
33 demonstrate the quality of each laboratory's data.
34
35 d. Ensure that all laboratories used by the Respondents
36 for analyses generate quality control information to
37 demonstrate the accuracy and precision of the
38 analytical results, and provide this quality control
39 information along with the analytical results.
40

41 62. Respondents shall notify EPA as early as possible in
42 advance of any sample collection activity. At the request of
43 EPA, Respondents shall allow split or duplicate samples to be
44 taken by EPA or its authorized representatives of any samples

1 collected by Respondents with regard to the Site or pursuant to
2 the implementation of this Order. In addition, EPA shall have
3 the right to take any additional samples that EPA deems
4 necessary.

5
6 **XV. COMPLIANCE WITH APPLICABLE LAWS**

7 63. All activities by Respondents pursuant to this Order shall
8 be performed in accordance with the requirements of all Federal
9 and state laws and regulations. EPA has determined that the
10 activities contemplated by this Order are consistent with the
11 National Contingency Plan (NCP).

12 64. Except as provided in section 121(e) of CERCLA and the
13 NCP, no permit shall be required for any portion of the Work
14 conducted entirely on-Site. Where any portion of the Work
15 requires a Federal or state permit or approval, Respondents shall
16 submit timely applications and take all other actions necessary
17 to obtain and to comply with all such permits or approvals.

18 65. This Order is not, and shall not be construed to be, a
19 permit issued pursuant to any Federal or state statute or
20 regulation.

21 66. All materials removed from the Site shall be transported
22 by a hazardous waste transporter approved by EPA's Project
23 Coordinator and licensed in accordance with Title 40, Code of
24 Federal Regulations, Part 263. Such materials shall be disposed
25 of or treated at a facility approved by EPA's Project Coordinator
26 and in accordance with section 121(d)(3) of CERCLA, 42 U.S.C.
27 § 9621(d)(3); with the NCP, including revisions to the U.S. EPA
28 off-site rule published in 58 Federal Register 49200, September
29 22, 1993; and with all other applicable Federal, state, and local
30 requirements.

31
32 **XVI. EPA PROJECT COORDINATOR**

33 67. Except as provided in Paragraph 100, all communications,
34 whether written or oral, from Respondents to EPA shall be
35 directed to EPA's Project Coordinator for the Work under this
36 Order. A copy of written communications shall be sent to the

1 Assistant Regional Counsel for the OII Site. Respondents shall
2 submit to EPA five copies (four to the Project Coordinator, one
3 to the Assistant Regional Counsel), or more if directed by EPA,
4 of all documents, including plans, reports, and other
5 correspondence, which are developed pursuant to this Order, and
6 shall send these documents by overnight mail.

7 EPA's Project Coordinator for this Order is:

8 Tina Diebold, H-7-1
9 U.S. Environmental Protection Agency
10 75 Hawthorne Street
11 San Francisco, California 94105
12 (415) 744-2396

13 EPA's Assistant Regional Counsel for the OII Site is:

14 Harrison Karr, RC-3-3
15 U.S. Environmental Protection Agency
16 75 Hawthorne Street
17 San Francisco, California 94105
18 (415) 744-1340

19 68. In the event of an emergency, if EPA's Project Coordinator
20 is unavailable, Respondent may contact any of the Remedial
21 Project Managers (RPMs) for the OII Site, including (addresses
22 all as above):

23 Brian Ullensvang, 415-744-2399
24 Roy Herzig, 415-744-2397
25 Janet Whitlock, 415-744-2401.

26 69. EPA has the unreviewable right to change its Project
27 Coordinator. If EPA changes its Project Coordinator, EPA will
28 inform Respondents in writing of the name, address, and telephone
29 number of the new Project Coordinator.

30 70. EPA's Project Coordinator shall have the authority
31 lawfully vested in a Remedial Project Manager (RPM) and On-Scene
32 Coordinator (OSC) by the National Contingency Plan, 40 C.F.R.
33 Part 300. EPA's Project Coordinator shall have authority,
34 consistent with the National Contingency Plan, to halt any work
35 required by this Order, and to take any necessary response
36 action.

37
38 **XVII. ACCESS TO SITE NOT OWNED BY RESPONDENTS**

39 71. If the Site, any off-Site area that is to be used for

1 access, property where documents required to be prepared or
2 maintained by this Order are located, or other property subject
3 to or affected by the clean up, is owned in whole or in part by
4 parties other than those bound by this Order, and to the extent
5 that EPA does not already have access agreements which include
6 Respondents, Respondents will obtain, or use their best efforts
7 to obtain, site access agreements from the present owners within
8 thirty (30) days of the effective date of this Order. Such
9 agreements shall provide access for EPA, its contractors and
10 oversight officials, other parties working under consent decrees
11 with or orders issued by EPA, the state and its contractors, and
12 Respondents or Respondents' authorized representatives and
13 contractors, and such agreements shall specify that Respondents
14 are not EPA's representatives with respect to liability
15 associated with Site activities. Respondents shall save and hold
16 harmless the United States and its officials, agents, employees,
17 contractors, subcontractors, or representatives for or from any
18 and all claims or causes of action or other costs incurred by the
19 United States including but not limited to attorneys fees and
20 other expenses of litigation and settlement arising from or on
21 account of acts or omissions of Respondents, their officers,
22 directors, employees, agents, contractors, subcontractors, and
23 any persons acting on their behalf or under their control, in
24 carrying out activities pursuant to this Order, including any
25 claims arising from any designation of Respondents as EPA's
26 authorized representatives under section 104(e) of CERCLA.
27 Copies of such agreements shall be provided to EPA prior to
28 Respondents' initiation of any field activities for which access
29 is not provided in existing agreements. Respondents' best
30 efforts shall include providing reasonable compensation to any
31 off-Site property owner. If access agreements are not obtained
32 within the time referenced above, Respondents shall immediately
33 notify EPA of their failure to obtain access. Subject to the
34 United States' non-reviewable discretion, EPA may use its legal
35 authorities to obtain access for the Respondents, may perform
36 those response actions with EPA contractors at the property in

question, or may terminate the Order if Respondents cannot obtain access agreements. If EPA performs those tasks or activities with contractors and does not terminate the Order, Respondents shall perform all other activities not requiring access to that property. Respondents shall integrate the results of any such tasks undertaken by EPA into its reports and deliverables. Respondents shall reimburse EPA, pursuant to Section XXII (Reimbursement of Response Costs) of this Order, for all response costs (including attorney fees) incurred by the United States as a result of Respondents' failure to obtain access.

XVIII. SITE ACCESS AND DATA/DOCUMENT AVAILABILITY

72. Respondents shall allow EPA and its authorized representatives and contractors to enter and freely move about all property at the Site and off-Site areas subject to or affected by the work under this Order or where documents required to be prepared or maintained by this Order are located, for the purposes of inspecting conditions, activities, the results of activities, records, operating logs, and contracts related to the Site or Respondents and its representatives or contractors pursuant to this Order; reviewing the progress of the Respondents in carrying out the terms of this Order; conducting tests as EPA or its authorized representatives or contractors deem necessary; using a camera, sound recording device or other documentary type equipment; and verifying the data submitted to EPA by Respondents. Respondents shall allow EPA and its authorized representatives to enter the Site, to inspect and copy all records, files, photographs, documents, sampling and monitoring data, and other writings related to work undertaken in carrying out this Order. Nothing herein shall be interpreted as limiting or affecting EPA's right of entry or inspection authority under Federal law.

73. Respondents shall not impede or interfere with access to the Site or any portion thereof by EPA, authorized representatives of EPA, CURE, NCI, or any other person authorized by EPA to enter the Site.

1 74. Respondents may assert a claim of business confidentiality
2 covering part or all of the information submitted to EPA pursuant
3 to the terms of this Order under 40 C.F.R. § 2:203, provided such
4 claim is not inconsistent with section 104(e)(7) of CERCLA, 42
5 U.S.C. § 9604(e)(7) or other provisions of law. This claim shall
6 be asserted in the manner described by 40 C.F.R. § 2.203(b) and
7 substantiated by Respondents at the time the claim is made.
8 Information determined to be confidential by EPA will be given
9 the protection specified in 40 C.F.R. Part 2. If no such claim
10 accompanies the information when it is submitted to EPA, it may
11 be made available to the public by EPA or the state without
12 further notice to the Respondents. Respondents shall not assert
13 confidentiality claims with respect to any data related to Site
14 conditions, sampling, or monitoring.

15 75. Respondents shall maintain for the period during which
16 this Order is in effect an index of documents that Respondents
17 claims contain confidential business information. The index
18 shall contain, for each document, the date, author, addressee,
19 and subject of the document. Upon written request from EPA,
20 Respondents shall submit a copy of the index to EPA.

21 22 **XIX. RECORD PRESERVATION**

23 76. Respondents shall provide to EPA upon request, copies of
24 all documents and information within their possession and/or
25 control or that of their contractors or agents relating to
26 activities at the Site or to the implementation of this Order,
27 including but not limited to sampling, analysis, chain of custody
28 records, manifests, trucking logs, receipts, reports, sample
29 traffic routing, correspondence, or other documents or
30 information related to the Work. Respondents shall also make
31 available to EPA for purposes of investigation, information
32 gathering, or testimony, their employees, agents, or
33 representatives with knowledge of relevant facts concerning the
34 performance of the Work.

35 77. Until ten (10) years after termination of each
36 Respondent's duty to perform Remedial Activities as provided in

1 Paragraph 44 of this Order, each Respondent shall preserve and
2 retain all records and documents in its possession or control,
3 including the documents in the possession or control of their
4 contractors and agents on and after the effective date of this
5 Order, that relate in any manner to the performance of the Work
6 or to the Site. At the conclusion of this document retention
7 period, each Respondent shall notify the United States at least
8 ninety (90) days prior to the destruction of any such records or
9 documents, and upon request by the United States, Respondent
10 shall deliver any such records or documents to EPA.

11 78. Within forty-five (45) days after the effective date of
12 this Order, each Respondent shall submit a written certification
13 to EPA's Project Coordinator that it has not altered, mutilated,
14 discarded, destroyed or otherwise disposed of any records,
15 documents or other information relating to its potential
16 liability with regard to the Site since notification of potential
17 liability by the United States or the State regarding the Site.
18 Respondents shall not dispose of any such documents without prior
19 approval by EPA. Respondents shall, upon EPA's request and at no
20 cost to EPA, deliver the documents or copies of the documents to
21 EPA.

22 23 **XX. DELAY IN PERFORMANCE**

24 79. Any delay in performance of this Order that, in EPA's
25 judgment, is not properly justified by Respondents under the
26 terms of this Section shall be considered a violation of this
27 Order. Any delay in performance of this Order shall not affect
28 Respondents' obligations to fully perform all obligations under
29 the terms and conditions of this Order.

30 80. Respondents shall notify EPA of any delay or anticipated
31 delay in performing any requirement of this Order. Such
32 notification shall be made by telephone to EPA's Project
33 Coordinator within forty eight (48) hours after Respondents first
34 knew or should have known that a delay might occur. Respondents
35 shall adopt all reasonable measures to avoid or minimize any such
36 delay. Within five (5) days after notifying EPA by telephone,

1 Respondents shall provide written notification fully describing
2 the nature of the delay, any justification for the delay, any
3 reason why Respondents should not be held strictly accountable
4 for failing to comply with any relevant requirements of this
5 Order, the measures planned and taken to minimize the delay, and
6 a schedule for implementing the measures that will be taken to
7 mitigate the effect of the delay. Increased costs or expenses
8 associated with implementation of the activities called for in
9 this Order is not a justification for any delay in performance.

10
11 **XXI. ASSURANCE OF ABILITY TO COMPLETE WORK**

12 81. Respondents shall demonstrate their ability to complete
13 the Work required by this Order and to pay all claims that arise
14 from the performance of the Work by obtaining and presenting to
15 EPA within thirty (30) days after the effective date of this
16 Order one of the following: (1) a performance bond; (2) a letter
17 of credit; (3) a guarantee by a third party; or (4) internal
18 financial information to allow EPA to determine that Respondents
19 have sufficient assets available to perform the Work.
20 Respondents jointly shall demonstrate financial assurance in an
21 amount no less than \$10 million. If Respondents seek to
22 demonstrate ability to complete the Remedial Activities by means
23 of internal financial information, or by guarantee of a third
24 party, they shall re-submit such information annually, on the
25 anniversary of the effective date of this Order. If EPA
26 determines that such financial information is inadequate,
27 Respondents shall, within thirty (30) days after receipt of EPA's
28 notice of determination, obtain and present to EPA for approval
29 one of the other three forms of financial assurance listed above.

30 82. At least seven (7) days prior to commencing any work at
31 the Site pursuant to this Order, Respondents shall submit to EPA
32 a certification that Respondents or their contractors and
33 subcontractors have adequate insurance coverage or have
34 indemnification for liabilities for injuries or damages to
35 persons or property which may result from the activities to be
36 conducted by or on behalf of Respondents pursuant to this Order.

1 Respondents shall ensure that such insurance or indemnification
2 is maintained for the duration of the Work required by this
3 Order.
4

5 **XXII. REIMBURSEMENT OF RESPONSE COSTS**

6 83. Respondents shall reimburse EPA, upon written demand, for
7 all response costs incurred by the United States in overseeing
8 Respondents' implementation of the requirements of this Order or
9 in performing any response action which Respondents fail to
10 perform in compliance with this Order. EPA may submit to
11 Respondents on a periodic basis an accounting of response costs
12 incurred by the United States with respect to this Order. EPA's
13 certified Agency Financial Management System summary data (SPUR
14 Reports), or such other summary as certified by EPA, shall serve
15 as the basis for payment demands.

16 84. Respondents shall, within thirty (30) days of receipt of ,
17 such EPA demand, remit a certified or cashier's check for the
18 amount of those costs. Interest shall accrue from the later of
19 the date that payment of a specified amount is demanded in
20 writing or the date of the expenditure. The interest rate is the
21 rate established by the Department of the Treasury pursuant to 31
22 U.S.C. § 3717 and 4 C.F.R. § 102.13.

23 85. Checks shall be made payable to the Hazardous Substances
24 Superfund and shall reference "OII - PRP - Oversight - T&T, SSID
25 #098F", and the title of this Order. Checks shall be forwarded
26 to:

27 U.S. Environmental Protection Agency, Region IX
28 Attention: Superfund Accounting
29 P.O. Box 360863M
30 Pittsburgh, PA 15251

31 86. Respondents shall send copies of the check and transmittal
32 letter to EPA's Project Coordinator and EPA's Assistant Regional
33 Counsel.
34

35 **XXIII. UNITED STATES NOT LIABLE**

36 87. The United States, by issuance of this Order, assumes no
37 liability for any injuries or damages to persons or property

1 resulting from acts or omissions by Respondents, or their
2 directors, officers, employees, agents, representatives,
3 successors, assigns, contractors, or consultants in carrying out
4 any action or activity pursuant to this Order. Neither EPA nor
5 the United States may be deemed to be a party to any contract
6 entered into by any Respondent or its directors, officers,
7 employees, agents, successors, assigns, contractors, or
8 consultants in carrying out any action or activity pursuant to
9 this Order.

10 11 **XXIV. ENFORCEMENT AND RESERVATIONS**

12 88. EPA reserves the right to bring an action against
13 Respondents under section 107 of CERCLA, 42 U.S.C. § 9607, for
14 recovery of any response costs incurred by the United States and
15 not reimbursed by Respondents. This reservation shall include
16 but not be limited to past costs, direct costs, indirect costs,
17 the costs of oversight, the costs of compiling the cost
18 documentation to support oversight cost demand, as well as
19 accrued interest as provided in section 107(a) of CERCLA.

20 89. Notwithstanding any other provision of this Order, at any
21 time during the response action, EPA may perform its own studies,
22 complete the response action (or any portion of the response
23 action) as provided in CERCLA and the NCP, and seek reimbursement
24 from Respondents for its costs, or seek any other appropriate
25 relief.

26 90. Nothing in this Order shall preclude EPA from taking any
27 additional enforcement actions, including modification of this
28 Order or issuance of additional Orders, and/or additional
29 remedial or removal actions as EPA may deem necessary, or from
30 requiring Respondents in the future to perform additional
31 activities pursuant to CERCLA, 42 U.S.C. § 9606(a), et seq., or
32 any other applicable law. Respondents shall be liable under
33 CERCLA section 107(a), 42 U.S.C. § 9607(a), for the costs of any
34 such additional actions.

35 91. Notwithstanding any provision of this Order, the United
36 States hereby retains all of its information gathering,

1 inspection and enforcement authorities and rights under CERCLA,
2 RCRA and any other applicable statutes or regulations.

3 92. Each Respondent shall be subject to civil penalties under
4 section 106(b) of CERCLA, 42 U.S.C. § 9606(b), of not more than
5 \$25,000 for each day in which Respondent willfully violates, or
6 fails or refuses to comply with this Order without sufficient
7 cause. In addition, failure to properly provide response action
8 under this Order, or any portion hereof, without sufficient
9 cause, may result in liability under section 107(c)(3) of CERCLA,
10 42 U.S.C. § 9607(c)(3), for punitive damages in an amount at
11 least equal to, and not more than three times the amount of any
12 costs incurred by the Fund as a result of such failure to take
13 proper action.

14 93. Nothing in this Order shall constitute or be construed as
15 a release from any claim, cause of action or demand in law or
16 equity against any person for any liability it may have arising
17 out of or relating in any way to the Site.

18 94. If a court issues an order that invalidates any provision
19 of this Order or finds that any Respondent has sufficient cause
20 not to comply with one or more provisions of this Order,
21 Respondents shall remain bound to comply with all provisions of
22 this Order not invalidated by the court's order.

23 24 **XXV. ADMINISTRATIVE RECORD**

25 95. Upon request by EPA, Respondents must submit to EPA all
26 documents related to the implementation or selection of the
27 response action for possible inclusion in the administrative
28 record file.

29 30 **XXVI. EFFECTIVE DATE AND COMPUTATION OF TIME**

31 96. This Order shall be effective ten (10) days after the
32 Order is signed by the Director of the Hazardous Waste Management
33 Division for EPA Region IX. Except as otherwise specified
34 herein, all times for performance of ordered activities shall be
35 calculated from this effective date.

1 **XXVII. OPPORTUNITY TO CONFER**

2 97. Respondents may, within five (5) days after the date this
3 Order is signed, request a conference with EPA's Project
4 Coordinator and Assistant Regional Counsel to discuss this Order.
5 If requested, the conference shall occur at the offices of EPA
6 Region IX, 75 Hawthorne Street, San Francisco, California, or at
7 the Site, at EPA's option.

8 98. The purpose and scope of the conference shall be limited
9 to issues involving the implementation of the response actions
10 required by this Order and the extent to which Respondents intend
11 to comply with this Order. This conference is not an evidentiary
12 hearing, and does not constitute a proceeding to challenge this
13 Order. It does not give Respondents a right to seek review of
14 this Order, or to seek resolution of potential liability, and no
15 official stenographic record of the conference will be made. At
16 any conference held pursuant to Respondents' request, Respondents,
17 may appear in person or by an attorney or other representative.

18 99. Requests for a conference must be by telephone followed by
19 written confirmation mailed that day to Harrison Karr, Assistant
20 Regional Counsel, (415) 744-1340, 75 Hawthorne St., San
21 Francisco, CA 94105-3901.
22

23 **XXVIII. NOTICE OF INTENT TO COMPLY**

24 100. Each Respondent shall provide, not later than five (5)
25 days after the effective date of this Order, written notice to
26 EPA's Project Coordinator stating whether that Respondent will
27 comply with the terms of this Order. If any Respondent does not
28 unequivocally commit to perform the Work as provided by this
29 Order, it shall be deemed to have violated this Order and to have
30 failed or refused to comply with this Order. Each Respondent's
31 written notice shall include the name, title, address, telephone
32 number and facsimile number for a person representing Respondent
33 with whom EPA may communicate regarding implementation of this
34 Order, until the Respondents submit to EPA the RCCP under
35 Paragraph 45 designating Respondents' primary contacts. Each
36 Respondent's written notice shall describe, using facts that

1 exist on or prior to the effective date of this Order, any
2 "sufficient cause" defenses asserted by Respondent under sections
3 106(b) and 107(c)(3) of CERCLA. The absence of a response by EPA
4 to the notice required by this Paragraph shall not be deemed to
5 be acceptance of Respondent's assertions.

6
7 So Ordered, this second day of November, 1993.

8
9 BY: 

10 JEFF ZELIKSON

11 Director, Hazardous Waste Management Division
12 U.S. Environmental Protection Agency, Region IX
13

14 **EFFECTIVE DATE: November 12, 1993**

Order No. 94-01

ATTACHMENT A

SCOPE OF WORK

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**OPERATING INDUSTRIES, INC. SUPERFUND SITE
SCOPE OF WORK FOR COLLECTION, TRANSPORTATION, AND TREATMENT AND
DISPOSAL OF SITE-ASSOCIATED WASTE**

1.0 PURPOSE

The purpose of this Scope of Work (SOW) for the Operating Industries, Inc. Superfund Site ("OII" or "site") is to detail the waste collection, transportation, and treatment and disposal activities that shall be undertaken by the Respondents in compliance with this Unilateral Administrative Order ("Order" or "UAO").

1.1 Objectives

The overall objective of the Work is to manage certain site wastes and wastes from site-related field activities including the following wastes: leachate; landfill gas condensate; wastes from well pumping and purging activities; wastes from drilling activities; wastes from field sample collection activities; wastes from the decontamination of equipment; wastes from the on-site oil separation facility; wastes, including effluent, from the leachate treatment plant; and other site wastes that are collected and/or temporarily stored in on-site storage tanks and other containers and collection points.

Wastes collected by the Respondents pursuant to this Order shall be transported to an EPA-approved off-site treatment facility, unless and until EPA approves and directs the Respondents to transport the wastes to the on-site leachate treatment system.

1.2 Description of Operations

The Respondents shall carry out the following minimum operations under this Order as directed by EPA:

- ° Coordinate with EPA and other person(s) performing work at the site as directed by EPA regarding both regularly scheduled and periodic unscheduled pick-up of site wastes temporarily stored and/or collected on site and/or associated with site-related field activities and/or associated with the leachate treatment system.

- ° Provide all vehicles, equipment, material, services, personnel, technical expertise, and management necessary to carry out the Work.
- ° Collect site wastes from locations where wastes are temporarily collected and/or stored and/or from the locations of site-associated field activities, and transfer into temporary on-site storage containers, and/or into vacuum trucks for transport to an EPA-approved off-site Treatment, Storage, and Disposal Facility (TSDF), and/or into the leachate treatment system (LTS) as directed by EPA.
- ° Transport wastes, using an EPA-approved transporter, to an EPA-approved off-site treatment facility where the wastes shall be treated and disposed.
- ° Follow industry standard procedures to minimize spills when collecting, transferring, and transporting wastes.
- ° Clean up wastes spilled during collection, transfer, and transportation operations in accordance with procedures outlined in the Work Plan and the UAO Safety, Health, and Emergency Response Plan (SHERP) which the Respondents shall submit to EPA pursuant to this Order.
- ° Perform all required waste characterization.
- ° Complete the hazardous waste manifests and associated forms.

1.3 Phased Activities

The type and volume of wastes to be managed pursuant to this Order will vary over the effective period of this Order. For example, until the on-site leachate treatment plant (LTP) is in operation, the majority of the waste volume to be managed by the Respondents will be leachate. After the plant is in operation, the Respondents shall manage certain treatment residuals such as oil and grease that are separated from the leachate at the oil separation facility prior to treatment of the leachate at the plant.

During the effective period of this Order, the Respondents shall manage the wastes included in this Order as directed

by EPA. As the need for management of particular wastes arises, EPA will notify the Respondents, and the Respondents shall then make the necessary arrangements to manage the wastes in compliance with the requirements of this Order and within the time specified by the EPA Project Coordinator at the time of the request. Therefore, arrangements for waste transporters and TSDFs may change over the effective period of this Order, and amendments to the Work Plan and other deliverables may be required.

The initial waste that shall be managed by the Respondents pursuant to this Order is identified in Section 5.0 of this SOW.

2.0 BACKGROUND

2.1 Site Location

The OII Site is located at 900 Potrero Grande Drive in the City of Monterey Park, Los Angeles County, California. The Site encompasses approximately 190 acres, with California Highway 60 (Pomona Freeway) dividing the Site into a 45-acre northern parcel and a 145-acre southern parcel. The majority of the on-site systems and facilities are located in the southern parcel. Figure 1 shows the location of this site and Figure 2 shows the site layout and facility locations.

2.2 Wastes

A brief description of some of the wastes associated with the site and the site-related activities is provided in this section. The Respondents shall collect these wastes and transport them as directed by EPA to the on-site LTS or to an off-site TSDF where the wastes shall be treated and disposed. The Respondents shall collect these wastes as directed by EPA on a regular and/or an as-needed basis depending on site conditions such as waste type, volume, collection location, and the status of other site activities including those listed in Section 4.1 of this Order.

2.2.1 Leachate

The Leachate Management System (LMS), including elements of the landfill gas control system, is described briefly below. More complete descriptions of the leachate management system and gas control system are contained in the first Partial Consent Decree and

the Third Partial Consent Decree for the OII Superfund site.

The LMS being implemented pursuant to the first Partial Consent Decree is comprised of existing and planned active and inactive components installed throughout the landfill and includes the on-site leachate treatment plant.

Active LMS sources include site systems to collect and convey wastes, either for transport to off-site treatment facilities or for future treatment through on-site LTP units. The site waste collection system consists of various components including sumps, pumps, french drains, gravel trenches, extraction wells, disposal borings, leachate conveyance lines, condensate conveyance lines, buried tanks, and above-ground tanks (e.g., Baker tanks). The Respondents shall collect wastes associated with the LMS from locations specified by EPA for treatment and disposal as directed by EPA.

Currently, leachate and other liquid wastes such as condensate are typically collected directly from sumps or from temporary on-site storage tanks into vacuum trucks for off-site transport and disposal. As an estimation of possible leachate and other liquid volumes to be managed, for the period of January, 1993 to June, 1993, the liquid production ranged between approximately 4200 and 9900 gallons per day, or approximately 128,000 to 308,000 total gallons per month, with an average of approximately 210,000 gallons per month. Once it has started, the operation of the on-site LTP will affect the volume and type of wastes that shall be managed by the Respondents.

2.2.2 Leachate Treatment System Wastes
Wastes associated with the LTS include treatment residuals, such as filter cake, from the operation of the LTP, effluent from the LTP, laboratory wastes, and wastes from the on-site remote oil separation facility (ROSF), such as oil and grease and sludge.

The Respondents shall collect oil and grease at the on-site ROSF for off-site treatment and disposal. The Respondents shall collect sludge from the ROSF as directed by EPA at the ROSF and/or together with the filter cake at the LTP for off-site treatment and disposal. The Respondents shall collect LTP effluent, treatment residuals from the LTP, and laboratory wastes

at the LTP for off-site treatment and disposal on an as-needed basis as directed by EPA. The Respondents shall collect other wastes that may be associated with the LTP from the locations specified by EPA for treatment and disposal as directed by EPA.

2.2.3 Miscellaneous Waste Sources

Miscellaneous waste sources currently identified include the following: ponded rain water; wastes, such as groundwater, from well pumping and purging activities; wastes, such as borings, cuttings, and groundwater, from drilling activities; wastes, such as unused sample material and contaminated equipment, from field sampling activities; wastes from equipment decontamination activities; condensate associated with the landfill gas control system; and wastes, such as personnel protection equipment, from other site activities.

The Respondents shall collect ponded rainwater for treatment and disposal as directed by EPA. The Respondents may, with prior approval from EPA, temporarily store rainwater in tanks on-site before treatment and disposal. The Respondents shall collect wastes from field activities, such as well pumping and purging, drilling, and sample collection, concurrent with the field activities either directly into a vacuum truck or from an intermediate container such as a 55-gallon drum for treatment and disposal as directed by EPA. The Respondents may, with prior approval from EPA, transport wastes from field activities to temporary on-site storage locations, before treatment and disposal. The Respondents shall collect other wastes associated with site activities concurrent with the site activity or subsequently from temporary on-site storage locations for treatment and disposal as directed by EPA. For condensate and other wastes recovered from components of the landfill gas control system, which include sumps, a 60-barrel (or smaller) vacuum truck is typically used to collect the wastes, and daily collection may be needed. The Respondents shall collect wastes associated with the landfill gas control system for treatment and disposal as directed by EPA.

2.2.4 Baker Tanks

Five on-site Baker tanks are currently used for temporary collection and storage of some of the site-related wastes prior to off-site treatment and

disposal. The approximate location of the tanks is shown in Figure 16.5 of the Site Access and Security Plan. The five tanks, which are numbered 1 through 5, are located on the far western side of the south parcel. Each steel tank has a closed top and a capacity of approximately 21,000 gallons (500 bbl).

Tanks #1 and #2 are not connected to any pipelines and are used for emergency storage of liquids. When used, they are filled and emptied by placing a hose from a vacuum truck into the tanks. Tanks #3, #4, and #5 are connected to pipelines from leachate sumps, a condensate tank, and the decontamination pad sump. The tanks can also receive liquids through fill/pump out lines. Liquids from the equipment decontamination sump are pumped to Baker tanks #4 and #5. Landfill gas condensate is pumped to tank #5. Depending on the chemistry and volume of other site-related liquids, they are discharged from vacuum trucks to tanks #3, #4, and #5. The Respondents shall collect wastes contained in the Baker tanks for treatment and disposal as directed by EPA.

3.0 SITE ACCESS AND SECURITY

A brief description of the facilities and procedures used to control access to the site is provided in this section. Some of the site access roads are shown in Figure 2.

The site access and security features and the related procedures that shall be followed by the Respondents when performing work at the site pursuant to this Order are detailed in the Site Access and Security Plan (SASP) for OII.

3.1 Access Roads

The main entrance, located on the North Parcel at Greenwood Avenue, is the single point of access control to the site. The site roadway system connects all portions of the site to the main entrance. Bench roads on the slopes of the fill were constructed during the landfilling operation and are often referenced by their original mean sea level (MSL) elevation. The Greenwood and Westmoreland extensions derive their name from a proposed plan of the City of Monterey Park to extend the existing avenues along these routes.

All road surfaces are dirt or gravel road base except for short paved sections leading to the landfill gas flare

stations and a portion of the main haul road up to the top deck of the landfill.

Bench roadways are narrow and require care when driving, especially under wet conditions. Many roadways may become slippery during the rainy season, although conditions have improved significantly as a result of grading and placement of road base gravel pursuant to the first Partial Consent Decree.

3.2 Perimeter Fencing

Fencing of varying height (approximately 6' to 8') encircles the majority of the perimeter of the site. Fencing is sufficient to preclude vehicle access and most foot traffic. Permanently locked gates exist in several places along the perimeter fence line and can be utilized if necessary upon approval by EPA to provide access to the site for foot traffic or heavy equipment. These locked gates shall not be used for routine access.

3.3 Security Lighting

Security floodlights exist at the perimeter landfill gas flare station (FS-1) and the interior flare station (FS-2), the LTP, and at the decontamination pad.

3.4 Main Gate Security Office

A security office is located adjacent to the North Parcel field offices and to the main entrance gate. The security guard stationed in this office controls all access to the site through the main gate and maintains a list of persons with authorized access.

Proper identification is required from each person entering the main entrance gate. A current driver's license or similar identification is acceptable identification for persons on the list of authorized personnel.

3.5 Access Authorization

Individuals or organizations requiring access to the site must receive authorization from EPA. Respondents shall submit to EPA a list of individuals who require access to the OII site. Respondents shall ensure that the individuals meet the necessary requirements of their UAO/SHERP prior to entering the facility.

Visitors and site workers shall be prohibited from entering an exclusion zone established for site work activities unless they have prior permission of the appropriate Project Coordinator for the work and unless they are in full compliance with that Project Coordinator's health and safety requirements. Because the location of any exclusion zones at any given time will depend on the current work activities ongoing at the site, Respondents shall coordinate with Project Coordinators to determine the location and duration of exclusion zones and to ensure access to site waste collection points.

4.0 INTEGRATION AND COORDINATION WITH EXISTING ACTIVITIES

4.1 Introduction

The Respondents shall perform all activities required by this Order in such a manner so as not to impede the performance of any other activities at the site, including, but not limited to the following:

- Site Control and Monitoring;
- Leachate Management System;
- Leachate Treatment Plant operation;
- Predesign, design, and construction of landfill gas, cover, and stormwater management systems;
- Excluded Work;
- Site security;
- Remedial Investigation (RI);
- Feasibility Study (FS);
- RI/FS treatability studies;
- Final Remedy;
- Emergency response and removal activities; and
- Community relations activities.

4.2 Procedures

The Respondents shall establish integration and coordination procedures to facilitate the performance of the Work required by this Order with other site operations and tasks including those listed in Section 4.1 of this SOW. The Respondents shall describe the integration and coordination procedures in the Work Plan according to Section 8.2.3 of this SOW.

The initial procedures undertaken to ensure coordination and integration of the Work may include site visits, meetings, and conference calls.

4.2.1 Integration

Integration applies to materials and equipment required to implement the Work. Integration shall be required by the Respondents when conducting Work which impacts the site operations or tasks including those listed in Section 4.1 of this SOW.

The Respondents shall assure that the material and equipment required to implement the Work is compatible, and will function efficiently with, the materials and equipment required to implement the other site operations and tasks.

For example, integration will be needed to assure compatibility of collection equipment with valving of on-site storage tanks, and that waste collection equipment is compatible with monitoring well purge water volumes and purging methods.

Equipment needs are expected to change over the effective period of the Order as the type, volume, and collection location of wastes change. Equipment needs may also change due to other site activities such as ongoing system maintenance and change-out, and on-site construction.

4.2.2 Coordination

Coordination applies to activities required to implement the Work. Due to the variety of site activities, and the number of persons implementing these activities, it will be necessary for all persons to coordinate and communicate with each other.

For example, extensive communication will be required to assure that waste collection activities are coordinated with certain field activities, such as the groundwater monitoring schedule.

4.2.3 Technical Exchange Meetings

The Respondents shall participate in technical exchange meetings as appropriate and as directed by EPA to assure that information (including appropriate schedules, data, plans, and reports) is exchanged and reviewed at all appropriate stages of the Work.

Technical exchange meetings may be used to accomplish additional objectives including the following:

facilitate coordination and integration of the Work; discuss waste collection schedules, services, and equipment requirements; exchange information for use in the Work Plan, Work Plan amendments, and other deliverables; discuss current and planned activities that may impact other person(s) performing work at the site; and assist in the approval of deliverables.

4.3 Project Coordinators

As described in Section VIII of this Order, EPA and the Respondents shall each designate a Project Coordinator as the focal point for communications with EPA and other persons working at the Site. The Respondents' Project Coordinator shall be responsible for overseeing the Respondents' implementation of this Order and shall have the primary responsibility for assuring the Respondents' integration and coordination of Work activities with other site activities including those listed in Section 4.1 of this SOW.

4.3.1 Communication Procedures

In addition, the Respondents shall use the following communication procedures to assure integration of site activities.

- Clearly defined communication and documentation procedures.
- Designated contacts for coordinating site waste management needs with Respondents' waste collection schedule and activities.
- Review process for proposed activity changes.
- Timely notification procedures for any on-site activities or events and activity changes, which may affect site operations or tasks, and for spills or upsets. These procedures shall be integrated with overall site emergency procedures.
- Participation in technical exchange meetings.

4.4 Failure to Coordinate

If the Respondents fail to adequately and appropriately integrate and/or coordinate materials, equipment or activities with those persons performing Site operations and

activities with those persons performing Site operations and tasks including those listed in Section 4.1 of this SOW, EPA shall determine the actions necessary to assure adequate and appropriate integration and coordination, and the Respondents shall take such actions as directed by EPA.

4.5 EPA Responsibilities

EPA oversees all activities that are being conducted by the first Partial Consent Decree Work Defendants, the Third Partial Consent Decree Work Defendants, and their contractors pursuant to the respective consent decrees. EPA will oversee any future activities conducted by others at the Site, including the Respondents to this Order. EPA is currently performing the Remedial Investigation/Feasibility Study (RI/FS) at the Site. Site access and security is also the responsibility of EPA. EPA has retained contractors to assist with its oversight responsibilities.

4.6 CURE, Inc. Role and Responsibilities

The principal contractor for the first Partial Consent Decree Work Defendants for conduct of the activities to be performed under the first Partial Consent Decree is CURE, Inc. (Coalition Undertaking Remedial Efforts). CURE, Inc. in turn has retained a number of contractors to assist them with these activities.

CURE has responsibilities for Site Control and Monitoring (SCM) at the site. These responsibilities include maintenance, monitoring, and improvements to the following: leachate and condensate control systems, fencing and access roads, stormwater/erosion control, landfill cover, landscaping, and irrigation, and support facilities and utilities. CURE also has responsibilities for Leachate Management (LM) which includes design, construction, and operation of the on-site LTP.

4.7 New Cure, Inc. Role and Responsibilities

The principal contractor for the Third Partial Consent Decree Work Defendants for conduct of the activities to be performed under the Third Partial Consent Decree is New Cure, Inc. (NCI). NCI in turn has retained a number of contractors to assist them with these activities.

NCI has responsibility for predesign, design, and construction activities associated with the landfill gas

control, landfill cover, and stormwater management systems for the site. Three exceptions include the design and construction of the Thermal Destruction Facility, the construction of the Cover Protection Component for the North Slope of the South Parcel, and the design and construction of the North Parcel systems, all of which are defined as Excluded Work under the Third Partial Consent Decree. These Excluded Work activities will be the responsibility of other parties, and in the future, EPA may issue orders for performance of these activities. When construction of remedial systems begins in a particular geographic area, NCI will assume responsibility for some of the SCM activities in that geographic area.

5.0 IDENTIFICATION OF INITIAL WASTES

Initially, the Respondents shall manage only those wastes contained in the on-site Baker tanks. Leachate, landfill gas condensate, and water from equipment decontamination comprise most of the waste contained in the Baker tanks. The Baker tanks will also occasionally contain other wastes, including but not limited to groundwater from well pumping or purging activities.

5.1 Initial Deliverables

The initial Work Plan and UAO/SHERP and other deliverables shall contain the information required to manage the wastes contained in the on-site Baker tanks.

5.2 Work Plan Amendments

The Respondents shall amend or modify the Work Plan and UAO/SHERP and other documents as necessary and as directed by EPA to include the management of the wastes as identified by EPA and submit the amendments to EPA for approval. Once EPA has approved the amended documents and notified the Respondents of EPA approval of the amendments, the Respondents shall commence management of the wastes identified in the amended Work Plan.

6.0 TRANSPORT AND TREATMENT SCOPE OF WORK

6.1 Introduction

The operational objectives are to provide appropriate vehicles, personnel, services, equipment, and materials required to safely collect, transport and dispose of wastes

from the site in compliance with all applicable federal, state, and local laws and regulations. While vacuum trucks are used as an example mode of transportation throughout this SOW, other appropriate modes of transportation may be proposed by the Respondents. All such proposals are subject to prior approval by EPA.

The Respondents shall use and furnish appropriate containers, package labeling and other incidentals required to prepare and package hazardous wastes or materials for shipment.

The Respondents shall transport wastes collected pursuant to this Order to an EPA-approved off-site TSDF unless and until EPA approves and directs the Respondents to transport wastes to the on-site LTS for treatment and disposal. As directed by EPA, the Respondents shall collect the LTP effluent for transport off-site for off-site treatment and disposal.

The Respondents shall contract with an EPA-approved waste transporter and an EPA-approved TSDF for each type of waste to be managed pursuant to this order. Because of the different waste types to be managed, the Respondents may need to contract with more than one transporter and TSDF. For example, the TSDF used for leachate may not be appropriate or authorized to accept some of the treatment residual wastes.

6.2 Transporter Criteria

The Respondents shall ensure that the hazardous waste transporter selected by the Respondents meets the minimum criteria described in this section and in Section XV of this Order. The Respondents shall obtain EPA approval of the selected transporter prior to implementing the Work required by this Order.

6.2.1 The Respondents shall arrange for the services of a hazardous waste transporter licensed in accordance with Title 40, Code of Federal Regulations, Part 263 and the appropriate state regulations for transporting liquid hazardous waste from the Site to an EPA-approved TSDF. The Respondents shall have responsibility for ensuring that the transporter maintains a current registration during the performance of activities detailed in this Order. The Respondents shall provide transporter licensing information to EPA for review prior to initiating the Work, and subsequently upon request by EPA.

6.2.2 The Respondent shall provide to EPA documentation that each driver, identified by name and driver's license number, transporting hazardous wastes or materials pursuant to this Order has been trained with regard to the safe handling of the hazardous waste or material being transported prior to initiating the transportation.

6.2.3 The Respondents shall ensure that the procedures, vehicles, equipment, and material used for collection and transport of the wastes do not introduce additional contamination to the site. The Respondents shall ensure that vehicles used for transfer and transport are emptied and cleaned prior to arrival at OII. The Respondents shall not wash out vehicles used for transfer or transport of waste on-site at OII. Vehicle wash-out must be performed at the TSDF or other approved facility.

6.2.4 The Respondents shall ensure that the vehicles, or other modes of transportation, used for the transportation of wastes use hazard warning placards as required by the Department of Transportation (DOT). Placards designated as optional by the DOT must be displayed.

6.2.5 The transporter must maintain satisfactory terminal ratings with the Highway Patrol from California and all applicable states for those vehicles in service under this Order, and maintain current a Commercial Vehicle Safety Alliance sticker on each tractor used to transport site wastes.

If other modes of transportation are used (e.g., trains), the transporter must also maintain the appropriate standing as a transporter of hazardous wastes with the relevant regulatory authorities.

6.2.6 The Respondents shall not combine waste from OII with waste from other locations when transporting OII waste unless the Respondents obtain prior approval from EPA.

6.2.7 The Respondents shall prepare and submit a transportation plan for any activity that involves the transportation of wastes to or from the OII site area. The Respondents shall incorporate the transportation plan into the Work Plan. This plan shall include figures and descriptions of both the primary and

secondary transportation routes for the wastes or materials to the OII site and from the site all the way to the TSDF. Detailed descriptions and figures shall be provided for transportation in the immediate vicinity of the Site and to and from the location of site-related field activities.

For out-of-state transport of the wastes, the transportation plan shall include all information required by each state for transport of the wastes in each state. The Respondents shall comply with all transportation restrictions.

6.2.8 The Respondents shall notify EPA and obtain EPA approval prior to changing the hazardous waste transporter. Such notice shall include the name and proof of qualifications of the proposed new transporter.

6.3 Off-Site TSDF Criteria

The Respondents shall ensure that the TSDF selected by the Respondents meets the minimum criteria described in this section and in Section XV of this Order. The Respondents shall obtain EPA approval of the selected TSDF prior to implementing the Work required by this Order.

6.3.1 Wastes collected by the Respondents pursuant to this Order shall be disposed of at a Resource Conservation and Recovery Act (RCRA)-permitted hazardous waste disposal or treatment facility in accordance and compliance with Subsection 121(d)(3) of the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), 42 USC § 9621(d)(3), as amended.

6.3.2 The Respondents shall ensure that the RCRA-permitted TSDF used for disposal of site wastes is in compliance with the National Contingency Plan (NCP), including revisions to the U.S. EPA off-site rule published in 58 Federal Register 49200, September 22, 1993; and with all other applicable Federal, state, and local requirements.

6.3.3 The Respondents shall notify EPA and shall obtain EPA approval prior to delivering any site wastes to a TSDF not previously designated by Respondents and approved by EPA under this Section of the SOW and Section XV of the Order. The notice shall include the

name, address, and proof of qualifications of the proposed new facility.

7.0 WASTE CHARACTERIZATION ACTIVITIES

The Respondents shall perform all required waste characterization activities (e.g., sampling and analysis) pursuant to implementing the Work in this Order.

7.1 Additional Tests

The Respondents shall also perform additional waste characterization activities as directed by EPA.

When directed by EPA, the Respondents shall also perform tests for contamination of equipment and vehicles prior to their use in implementing the Work to ensure that additional contamination is not brought to the Site.

7.2 Laboratories

7.2.1 The Respondents shall ensure that all laboratories used for analysis of samples taken pursuant to this Order meet the requirements in Section XIV of this Order.

8.0 MANAGEMENT PLANS

8.1 Objective

The purpose of the management plans is to provide a framework by which this Order is to be executed. The Respondents shall develop and submit to EPA, at a minimum, the following management plans:

- ° Work Plan, and
- ° UAO Safety, Health and Emergency Response Plan (UAO/SHERP).

Prior to implementing the site waste management activities described in this Order, the Respondents shall obtain EPA approval of the Work Plan and UAO/SHERP. The plan review process is described below in Sections 9.4 and 9.5 of this SOW, and the submittal schedule is presented in Section 10.0. The EPA Project Coordinator will determine the number of plan copies needed and their distribution.

8.2 Work Plan

8.2.1 Introduction

The Respondents shall develop and submit to EPA a Work Plan that shall describe the procedures the Respondents shall employ to perform the activities required by this Order and the specific objectives of these activities in performing the Work. The Work Plan shall be the primary plan to control and guide the Work activities of this Order by the Respondents.

The Work Plan shall present in detail the Work activities necessary to complete the Work required by this order.

8.2.2 Coordination and Integration

The Respondents shall coordinate with EPA, CURE, and NCI and other persons working at the site as directed by EPA in the development of the Work Plan in order to determine the current and projected waste management needs of the site. Because the site waste management needs are dependent on a number of variable site conditions, the Work Plan shall provide for flexible waste collection services. The Work Plan shall address, at a minimum, how changes in the following site conditions will be accommodated in order to meet the waste management needs of the site:

- waste volume and characteristics;
- required frequency of collection;
- site wastes storage practices and/or equipment;
- site waste conveyance systems; and
- schedule of other on-site and site-related activities.

The Respondents' Work Plan shall contain descriptions of the procedures to be used for amending or otherwise modifying the Work Plan to incorporate proposed changes in activities.

In the development of the Work Plan, the Respondents shall also integrate collection equipment and procedures with the existing site waste management systems (e.g., required pump specifications) in coordination with EPA, CURE, and NCI.

Coordination will also be required to obtain site access. The Work Plan shall address how the Respondents will meet the applicable requirements in the SASP (see Section 3.0 of this SOW) including the necessary OSHA requirements of 29 CFR § 1910.120. The Work Plan shall also address site access in terms of physical restrictions (e.g., narrow bench roads), procedural restrictions (exclusion zones), and restrictions in schedule due to other site activities, including those listed in Section 4.1 of this SOW.

8.2.3 Project Coordination and Integration
The Respondents shall describe in the Work Plan the procedures established to coordinate and integrate the Work with the other site activities including those listed in Section 4.1 of this SOW.

The Respondents shall describe in the Work Plan the formal external communications procedures to be followed for coordination of the Respondents' waste collection schedule and activities with the site waste management needs. A standardized external record-of-communication format that will be used to document communication and coordination between the Respondents and other parties (e.g., CURE) conducting work at the site shall be provided in the Work Plan. Applicable portions of the Respondents' Communication and Coordination Plan described in Section IX of the Order shall be included in this section of the Work Plan.

8.2.4 Responsibilities and Organization
The Work Plan shall clearly define responsibilities for management and organization of the Work activities and for quality control activities. The qualifications and responsibilities of the Respondents' Project Coordinator and personnel involved in carrying out the Work required by this Order shall be presented in the Work Plan. The description of Work management shall address not only the Respondents but any interactions between the Respondents and their contractors, and their subcontractors, and oversight and quality assurance/quality control of contractor and subcontractor activities.

8.2.5 Standard Report Formats
A Monthly Status Report format shall be provided in the Work Plan. A standardized incident report format and reporting procedure shall be established and provided in the Work Plan.

8.2.6 Spill Prevention and Clean Up

The Respondents shall describe in the Work Plan procedures to minimize the potential for spills and to respond to and clean up spills/releases resulting from the Respondents' activities under this Order.

8.2.7 Transportation Plan

The Respondents shall incorporate a transportation plan into the Work Plan for transportation of wastes to the site from the locations of field activities, from the site, or within the site. This plan shall include figures and descriptions of both the primary and secondary transportation routes for the wastes. The transportation plan shall also include procedures for complying with relevant portions of the SASP. The transportation plan shall also include the information required in Section 6.2.7 of this SOW.

8.2.8 Transporter and TSDF

The Respondents shall define in the Work Plan the elements necessary for meeting the hazardous waste transporter and TSDF requirements and EPA's Off-Site Rule. The identity, address, telephone number, and qualifications of the proposed transporter and TSDF shall be provided in the Work Plan.

8.2.9 Quality Assurance

The Work Plan shall contain quality assurance/quality control (QA/QC) procedures for all activities to be conducted by the Respondents. The section of the Work Plan addressing QA/QC shall comply with the requirements in Section XIV of this Order and include the following basic elements:

- QA audit procedures (related to records review);
- TSDF site audit procedures;
- QA/QC responsibilities;
- Requirements for contractors and responsibility for oversight of contractors;
- Equipment inspection procedures (e.g., to ensure that additional contamination is not brought to the Site);
- Management of records; and
- Procedures used to ensure that personnel implementing the Work activities are familiar with requirements of Respondents' Work management plans.

8.2.10 Waste Characterization

For all waste sampling and analysis required to implement the Work described in this Order, the Work Plan shall also address, at a minimum, the requirements in Section XIV of this Order, and the following items:

- Sample collection procedures;
- Rationale for sampling location and number of samples, including procedures used to ensure sample representativeness;
- Sample containers and preservation;
- Sample custody procedures;
- Sample packaging and shipment;
- Maintenance of field records/logs;
- Laboratory services;
- Field and laboratory test methods/procedures;
- Use of field and laboratory QC samples;
- Laboratory reporting procedures;
- Review procedures for laboratory and field data; and
- Data archival.

8.3 UAO Safety Health and Emergency Response Plan (UAO/SHERP)

8.3.1 Introduction

The Respondents shall develop and submit to EPA a UAO Safety Health and Emergency Response Plan (UAO/SHERP) that shall establish and document the safety, health, and emergency response procedures for all Work activities to be conducted by the Respondents pursuant to this Order. The UAO/SHERP shall conform to the applicable OSHA requirements. The Respondents shall ensure that individuals meet the OSHA training and medical surveillance requirements of 29 CFR § 1910.120 prior to working on site pursuant to this Order.

The UAO/SHERP shall address both workers at the site and public exposure to releases or spills at and from the site as related to the Work activities performed pursuant to this Order. Each organization performing work on the site operates under individual SHERPs or Health and Safety Plans. Monitoring and control of personnel working under the various SHERPs are the responsibility of each organization.

8.3.1.1 Coordination

The Respondents' UAO/SHERP shall address coordination between the various groups conducting

work at the site. As appropriate, the UAO/SHERP shall be consistent with the SHERP implemented for SCM/LMS activities pursuant to the first Partial Consent Decree. Note that EPA is currently reviewing and has not yet approved the most recent UAO/SHERP revision (dated March 31, 1993) for SCM/LMS activities pursuant to the first Partial Consent Decree.

8.3.2 Contents

The UAO/SHERP shall include at least the following basic elements:

- Introduction and Purpose;
- Applicable Laws and Regulations;
- On-site Organization and Coordination;
- Medical Surveillance Program;
- Monitoring Plan (Personnel and Environment);
- Chemicals of Concern;
- Activities Hazard Analysis;
- General Safe Working Practices;
- Training;
- Personnel Protective Equipment;
- Standard Operating Safety Procedures;
- Communication Procedures;
- Decontamination Procedures;
- Community Safety;
- Emergency Response Plan, including:
 - A Contingency Plan,
 - Identification and responsibilities of an Emergency Coordinator, and
 - Coordination with persons or organizations responsible for off-site emergency response (e.g., fire departments);
- Procedures for Updating and Distributing the UAO/SHERP;
- Record keeping;
- Requirements for Subcontractors; and
- Transportation Plan.

8.3.3 Approval

While the Respondents shall obtain EPA approval of the UAO/SHERP prior to implementing the site waste management activities described in this Order, EPA's comments on and approval of the UAO Safety, Health and Emergency Response Plan shall not constitute EPA approval of the Health and Safety Protocols and other health and safety portions of this Plan.

9.0 RECORDS AND REPORTING

9.1 Introduction

The Respondents shall follow the record keeping requirements of Sections XVIII and XIX of this Order. The Respondents shall also comply with the minimum records and reporting requirements presented in this section.

9.1.1 The Respondents shall establish a record keeping system for the documents and all other records (such as communication records) that are to be kept pursuant to this Order. The record keeping system and the physical arrangement of records must allow for easy access and review.

9.2 Monthly Project Status Reports for EPA

The Respondents shall submit Monthly Status Reports in the format set forth in the approved Work Plan according to the schedule in Section XIII of the Order to the EPA Project Coordinator, and to other persons as directed by the EPA Project Coordinator. The Respondents shall submit the monthly progress report on or before the 15th day of each month following the effective date of the Order.

As site conditions and activities change, the EPA Project Coordinator may designate and change the contents, the due date, and the distribution of the monthly reports. At a minimum, the reports shall initially include the following information:

- ° Date and volume of each load of waste transported off-site or to the LTS during the previous month;
- ° Inventories of pumped volumes for each collection point;
- ° Anticipated schedule of activities for the next 60 days after the end of the reporting period;
- ° Problems encountered during the reporting period and their resolutions;
- ° Potential problem areas and proposed resolutions;
- ° Communications Records (Section 8.2.3 of this SOW);
- ° Description of waste disposal activities;
- ° Copies of hazardous waste manifest forms and all associated certification forms;

- Results of all waste characterization tests performed in the field or laboratory;
- Cost accounting of Respondents' expenditures in implementing this Order during the reporting period;
- Health and safety issues and resolutions; and
- Incident report.

The Respondents shall provide more frequent status reports, such as daily activity reports, to the EPA Project Coordinator or to the authorized on-site EPA representative promptly upon request by EPA.

9.3 Manifests

The Respondents shall complete the hazardous waste manifests and associated forms documenting the transport of hazardous waste from the OII Site. The Respondents shall complete, maintain, and distribute the manifests as required in the implementation of the Work pursuant to this Order. Copies of the manifest forms shall be included as an appendix to the monthly status reports. All wastes hauled off-site shall be tracked through the appropriate state(s) hazardous waste manifest system, if any.

9.4 Review Process for Amendments and Other Proposed Changes in Activities

The Respondents shall submit proposed changes in Work activities undertaken pursuant to this Order in writing to EPA and shall include the reasons for the proposed change in their request. No proposed change shall be implemented until it has been approved by EPA.

Proposed changes in activities that are approved or directed by EPA shall be incorporated by the Respondents into the Work Plan and UAO/SHERP, and/or other relevant documents in a manner directed by the EPA Project Coordinator (e.g., amendments). Work Plan amendments and other document modifications shall address the specific requirements, as appropriate, listed in the Order and this SOW for the specific activity and for the document being modified.

The Respondents shall also amend the UAO/SHERP and other documents and submit them to EPA for review and approval to accommodate new or modified activities as appropriate. For example, an amendment to the UAO/SHERP is necessary if the management of a new waste involves safety or emergency

response issues that are not addressed in the current UAO/SHERP.

9.5 Deliverable Review and Approval Process

This Section and Section XII of this Order provide a description of the submittal, review, and approval process and schedule for plans, proposals, and other deliverables required by this Order.

9.5.1 The Respondents shall submit the required plans, proposed changes, amendments, and other deliverables on or before the due date to the EPA Project Coordinator and to other persons as determined by the EPA Project Coordinator. The Respondents shall provide multiple copies of these deliverables as directed by the EPA Project Coordinator.

9.5.2 After review of the deliverables, the EPA Project Coordinator will provide written notification to the Respondents of EPA approval or disapproval, or may transmit written comments that shall be addressed by the Respondents prior to EPA approval.

The Respondents shall address these comments and make any required changes. The Respondents shall then resubmit the revised document for review to the EPA Project Coordinator and to his/her specified distribution within the turnaround time required by the EPA Project Coordinator.

9.5.3 The EPA Project Coordinator may require that any changes made by the Respondents to their original submittal are clearly indicated (e.g., by redlining) in order to facilitate review of the revised document.

9.5.4 The Respondents shall proceed, at the direction of EPA, to take any action required by any non-deficient portion of the submitted document.

10.0 SCHEDULE

10.1 Introduction

The Respondents must comply with the schedules for the submittal of deliverables and for waste collection and transportation operations to be carried out under this Order. If EPA determines it is appropriate, the time periods set forth pursuant to this schedule may be extended

or shortened by EPA without requiring a formal modification of this Order. Requests for schedule modifications by the Respondents shall be made in writing to the EPA Project Coordinator and shall include a discussion of the reason for the request. The Respondents may choose to submit deliverables prior to the scheduled deliverable date. All submittals that are due on a weekend or a federal holiday will be accepted on the following working day, as defined in Section VI in the Order.

The Respondents shall not implement Work activities involving actual collection, transportation, or treatment and disposal of site wastes prior to EPA approval of the Work Plan and the UAO/SHERP, and any other advance information required by this Order (e.g., selection of transporter and TSDF). At the direction of EPA, the Respondents shall implement work activities required by any non-deficient portion of a submitted plan, even if the plan has not been approved by EPA in its entirety.

10.2 Deliverables Schedule

10.2.1 Work Plan

Draft Work Plan	Due within 20 calendar days from the effective date of this Order.
Work Plan	Due within 15 calendar days from the date of Respondents' receipt of EPA approval of Draft Work Plan.
Amendments to the Work Plan	Due as directed by EPA

10.2.2 UAO/SHERP

Draft UAO/SHERP	Due within 20 calendar days from the effective date of this Order.
UAO/SHERP	Due within 15 calendar days from date of Respondents' receipt of EPA approval on Draft UAO/SHERP.
Amendments to the UAO/SHERP	Due as directed by EPA

10.2.3 Monthly Status Reports

The monthly progress report is due on or before the 15th day of each month following the effective date of the Order.

10.2.4 Other Submittals

As described elsewhere in this SOW, the following is a partial list of the information which shall be submitted by the Respondents to EPA for approval prior to initiating Work.

Designation of Respondents' Project Coordinator due within 15 calendar days from the effective date of this Order.

The Respondents' Communication and Coordination Plan (RCCP) is due within 15 calendar days from the effective date of this Order.

Hazardous Waste Transporter qualifications and licensing information is due along with the Draft Work Plan within 20 calendar days from the effective date of this Order.

Hazardous Waste TSDF qualifications due along with the Draft Work Plan within 20 calendar days from the effective date of this Order.

Amendments or other modifications to documents due as directed by EPA.

10.2.5 EPA Requests for Information

EPA may request at any time any information generated or collected by the Respondents or their contractors pursuant to the implementation of this order. The Respondents shall provide the requested information to EPA or other persons specified by EPA within the time frame specified in EPA's request.

10.3 Operations Schedule

The Respondents shall perform the Work activities described in this Order on 24-hour notice at any time on a 24-hour, 7 day a week basis, including holidays.

APPENDIX A

FIGURES

FIGURE 1: SITE LOCATION

FIGURE 2: LANDFILL LAYOUT SHOWING FACILITY LOCATIONS

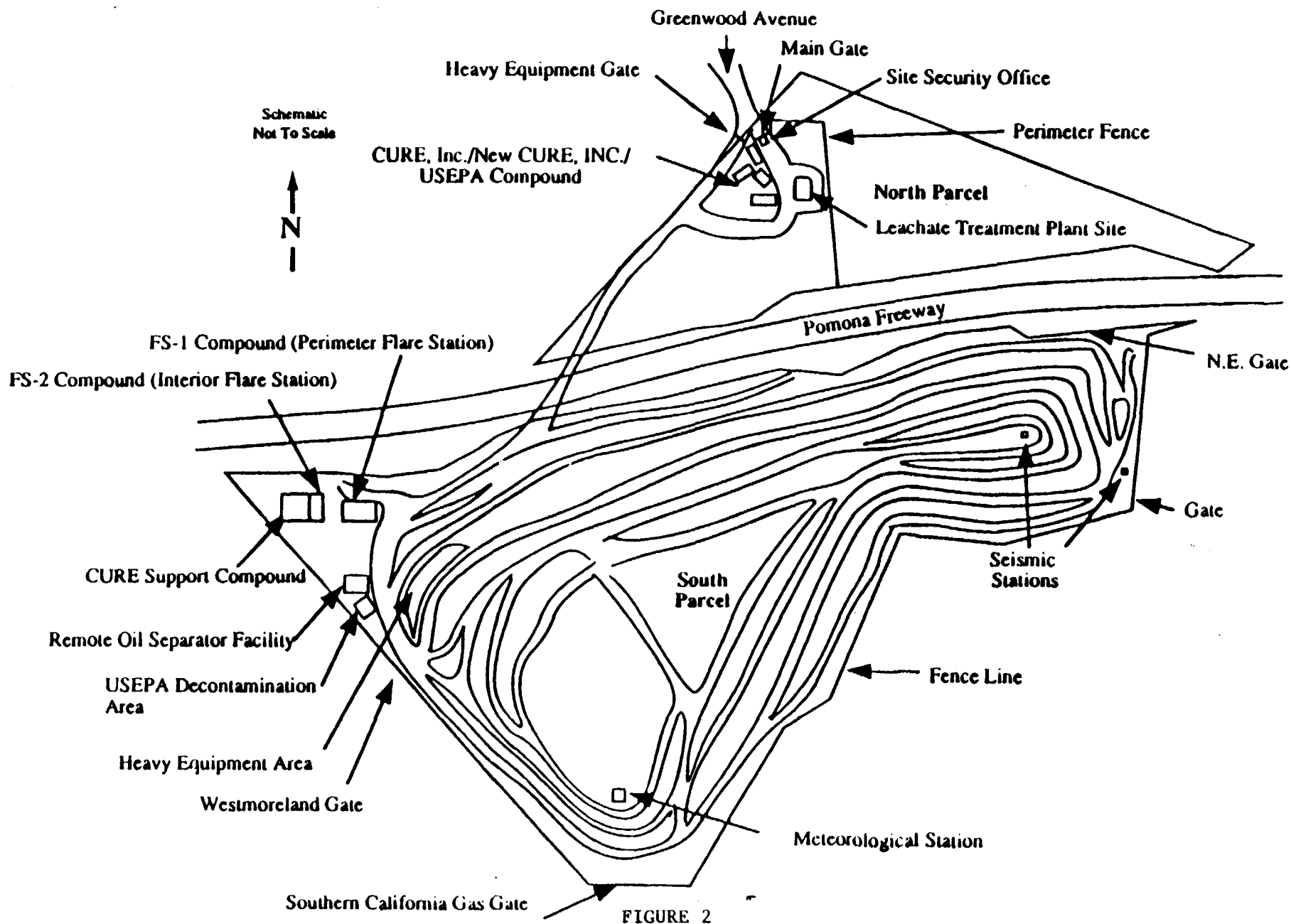


FIGURE 2

LANDFILL LAYOUT SHOWING UTILITY LOCATIONS

APPENDIX B

REFERENCES

1. first Partial Consent Decree, May 11, 1989
2. Third Partial Consent Decree, March 39, 1992
3. U.S. Army Corps of Engineers, Site Access and Security Plan (SASP) for the Operating Industries Site, June 20, 1991.
4. CURE, Inc., Safety Health & Emergency Response Plan (SHERP), SCM/LMS Activities, revised March 31, 1993.

ADMINISTRATIVE RECORD FOR UNILATERAL ADMINISTRATIVE ORDER
ORDER NO. 94-01

The following documents are included in the Administrative Record for November 2, 1993 Unilateral Administrative Order for Remedial Activities (Order No. 94-01) for the Operating Industries Incorporated (OII) Superfund Site in Monterey Park, California.

RECORD #	DATE	FROM	TO	DOCUMENT	PAGES
1	00/00/00	EPA		"Data Quality Objective Guidance," (EPA/540/G87/003 and 004)	
2	78/05 & 91/08	EPA-NEIC		EPA NEIC Policies and Procedures Manual, EPA-330/9-78-001-R	36
3	80/12/29	EPA-QAMS		Interim Guidelines and Specifications for Preparing Quality Assurance Project Plans, QAMS-005/80	52
4	85/10/00	NIOSH		Occupational Safety and Health Guidance for Hazardous Waste Site Activities, (DHH 5 NIOSH) Publication No. 85-115	100+
5	86/09/16	Dr. Joe Lowry, Chief Inorganic Analytical Section, EPA National Enforcement Investigations Center(NEIC)	Thomas Dahl Project Coordinator	Memorandum	18
6	87/01/09-88/12/12	1) EPA 2) Textile Rubber and Chemical Co.	1) Textile Rubber and Chemical Co. 2) EPA	1) CERCLA 104(e) Request for Information 2) Reply to Request for Information	
7	87/06/01	EPA		"Guidelines and Specifications for Preparing Quality Assurance Program Documentation" (EPA/540/G87/003 and 004)	

ADMINISTRATIVE RECORD FOR UNILATERAL ADMINISTRATIVE ORDER
ORDER NO. 94-01

The following documents are included in the Administrative Record for November 2, 1993 Unilateral Administrative Order for Remedial Activities (Order No. 94-01) for the Operating Industries Incorporated (OI) Superfund Site in Monterey Park, California.

RECORD #	DATE	FROM	TO	DOCUMENT	PAGES
8	87/07/31	EPA		EPA Record of Decision Operating Industries, Inc. Site Control and Monitoring Operable Unit	38
9	87/11/09-89/09/15	1) EPA 2) Gemini Industries, Inc.	1) Gemini Industries, Inc. 2) EPA	1) CERCLA 104(e) Request for Information 2) Reply to Request for Information (re- dacted to exclude information that may be entitled to confidential treatment)	
10	87/11/16	EPA		EPA Record of Decision Operating Industries, Inc. Leachate Management Operable Unit	42
11	88/07 & 92/06			EPA's Standard Operating Safety Guides (EPA, OERR, ERD, ERT)	182
12	88/09/30			EPA Record of Decision and Amendment Operating Industries, Inc. Gas Migration Control Operable Unit	100
13	89/05/08			First Partial Consent Decree, entered by the court	100+
14	89/07/00	U.S. Dept. of Health & Human Services, Public Health Service, Agency for Toxic Substance and Disease Registry		ATSDR Toxicological Profile for Chromium (Available at USEPA Library, Reg.9)	135

ADMINISTRATIVE RECORD FOR UNILATERAL ADMINISTRATIVE ORDER
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RECORD #	DATE	FROM	TO	DOCUMENT	PAGES
15	89/07/10-89/09/15	1) EPA 2) Celanese Corp.	1) Celanese Corp. 2) EPA	1) CERCLA 104(e) Request for Information 2) Reply to Request for Information	
16	89/09/00	US EPA Region 9		Guidance for Preparing Quality Assurance Project Plans for Superfund Remedial Projects, 90A-03-89	18
17	90/04/00	CH2M HILL	EPA	Technical Memorandum Summary of OII Supplemental Leachate Sampling, OII, Appendix A	100+
18	90/09/28			EPA Phase I Hydrogeology Investigation Final Report, Volume I	100+
19	90/12/00	U.S. Dept. of Health & Human Services, Public Health Service, Agency for Toxic Substance and Disease Registry		ATSDR Toxicological Profile for Copper (Available at USEPA Library, Reg.9)	143
20	90/12/00			ATSDR Toxicological Profile for Total Xylenes (Available at USEPA Library, Reg.9)	191
21	91/06/20	U.S. Army Corps of Engineers	EPA	Site Access and Security Plan (SASP), for the Operating Industries Site	82

ADMINISTRATIVE RECORD FOR UNILATERAL ADMINISTRATIVE ORDER
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<u>RECORD #</u>	<u>DATE</u>	<u>FROM</u>	<u>TO</u>	<u>DOCUMENT</u>	<u>PAGES</u>
22	91/09/17			Second Partial Consent Decree entered by the Court	
23	92/03/30			Third Partial Consent Decree entered by the court	100+
24	92/07/00	U.S. Dept. of Health & Human Services, Public Health Service, Agency for Toxic Substance and Disease Registry		ATSDR Toxicological Profile for 2-Butanone (Available at USEPA Library, Reg.9)	132
25	93/03/31	CURE, Inc.		Safety, Health, and Emergency Response Plan (SHERP), SCM/LMS Activities	100+

The Administrative Records for the following OII Records of Decision (ROD) are incorporated by reference:

- Site Control and Monitoring (SCM) Operable Unit ROD, signed July, 1987;
- Leachate Management (LM) Operable Unit ROD, signed November, 1987; and
- Landfill Gas Migration Control and Landfill Cover (Gas) Operable Unit ROD, signed September, 1988, amendment signed September, 1990.

ACRONYMS FOR OII LANDFILL 1993 UNILATERAL ADMINISTRATIVE ORDER FOR REMEDIAL ACTIVITIES (ORDER NO. 94-01)

ARAR	Applicable or Relevant and Appropriate Requirement
ATSDR	Agency for Toxic Substances and Disease Registry
CDD	Converse, Davis and Dixon Associates
CDM	Camp, Dresser and McKee
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CIWMD	California Integrated Waste Management Board
CRWQCB	California Regional Water Quality Control Board
CSDLAC	County Sanitation District of L.A. County
CURE	Coalition Undertaking Remedial Efforts
CWMD	California Waste Management Board
DOHS	Department of Health Services
DOJ	Department of Justice
E&E	Ecology and Environment, Inc.
EPA	(United States) Environmental Protection Agency
ERD	Emergency Response Division
ERT	Emergency Response Team
ESI	Environmental Solutions, Inc.
FS	Feasibility Study
GSF	Getty Synthetic Fuels, Inc.
H.E.L.P.	Homeowners to Eliminate Landfill Problems
HRS	Hazard Ranking System
LAO	Los Angeles Office
LARWQCB	Los Angeles Regional Water Quality Control Board
LFG	Landfill Gas
LM	Leachate Management
LTP	Leachate Treatment Plant
MIS	Management Information System
NEIC	National Enforcement Investigation Center
NIOSH	National Institute for Occupational Safety and Health
O&M	Operation and Maintenance
OERR	Office of Emergency and Remedial Response
OII	Operating Industries, Inc.
OSWER	Office of Solid Waste and Emergency Response
OU	Operable Unit
OUFS	Operable Unit Feasibility Study
OVA	Organic Vapor Analyzer
PRP	Potentially Responsible Party
QAMS	Quality Assurance Management Section
RCRA	Resource Conservation and Recovery Act
RI/FS	Remedial Investigation/Feasibility Study

ACRONYMS FOR OII LANDFILL 1993 UNILATERAL ADMINISTRATIVE ORDER FOR REMEDIAL ACTIVITIES (ORDER NO. 94-01)

ROC	Record of Communication
ROD	Record of Decision
RSCC	Regional Sample Control Center
RSF	Reserve Synthetic Fuels, Inc.
SCAQMD	South Coast Air Quality Management District
SCM	Site Control and Monitoring
SSPWC	Standard Specification for Public Works Construction
TETC	The Earth Technology Corporation
TSDF	Treatment, Storage and Disposal Facility
TWMD	Toxic Waste Management Division
WCC	Woodward-Clyde Consultants, Inc.